

APPEAL, CLOSED, TYPE-I

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:04-cv-02202-CKK**

SCHOENMAN v. FEDERAL BUREAU OF INVESTIGATION et al  
Assigned to: Judge Colleen Kollar-Kotelly  
Case in other court: 12-05079  
Cause: 05:552 Freedom of Information Act  
Date Filed: 12/20/2004  
Date Terminated: 01/23/2012  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**RALPH SCHOENMAN**

represented by **James H. Lesar**  
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**Kathleene A. Molen**  
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**TERMINATED: 12/14/2009**  
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V.

**Defendant**

**FEDERAL BUREAU OF  
INVESTIGATION**  
**TERMINATED: 02/09/2011**

represented by **Caroline A. Smith**  
U.S. DEPARTMENT OF JUSTICE  
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**Joshua Thomas Raines**  
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**Kathleene A. Molen**  
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**Defendant**

**CENTRAL INTELLIGENCE  
AGENCY**

represented by **Caroline A. Smith**  
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**Joshua Thomas Raines**  
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**Niels Stefan Quist**  
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**Defendant**

**DEFENSE INTELLIGENCE  
AGENCY**

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**Joshua Thomas Raines**  
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*TERMINATED: 06/11/2007*

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**Sean Ryan O'Neill**  
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**Defendant**

**DEPARTMENT OF AIR FORCE**

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**Kathleene A. Molen**  
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**Sean Ryan O'Neill**  
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**Defendant**

**DEPARTMENT OF JUSTICE**

represented by **Caroline A. Smith**  
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**Kathleene A. Molen**  
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**Defendant**

**DEPARTMENT OF ARMY**

represented by **Caroline A. Smith**  
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**Joshua Thomas Raines**  
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**Kathleene A. Molen**  
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**Defendant**

**DEPARTMENT OF NAVY**

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**Joshua Thomas Raines**  
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**Kathleene A. Molen**  
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**Niels Stefan Quist**  
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**Sean Ryan O'Neill**  
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**Defendant**

**DEPARTMENT OF STATE**

represented by **Caroline A. Smith**  
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**Joshua Thomas Raines**  
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**Kathleene A. Molen**  
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*TERMINATED: 03/22/2006*  
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**Sean Ryan O'Neill**  
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**Defendant**

**NATIONAL ARCHIVES AND  
RECORDS ADMINISTRATION**

represented by **Caroline A. Smith**  
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**Joshua Thomas Raines**  
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**Kathleene A. Molen**  
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*TERMINATED: 12/14/2009*  
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**Niels Stefan Quist**  
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*TERMINATED: 03/22/2006*  
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**Sean Ryan O'Neill**  
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**Defendant**

**NATIONAL SECURITY AGENCY**

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**Joshua Thomas Raines**  
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**Kathleene A. Molen**  
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*TERMINATED: 03/22/2006*  
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**Sean Ryan O'Neill**  
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**Defendant**

**JOHN DOE AGENCIES 1-10**

represented by **Caroline A. Smith**  
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*ATTORNEY TO BE NOTICED*

**Joshua Thomas Raines**  
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**Kathleene A. Molen**  
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*TERMINATED: 12/14/2009*  
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**Niels Stefan Quist**  
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*TERMINATED: 03/22/2006*  
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**Sean Ryan O'Neill**  
(See above for address)  
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*ATTORNEY TO BE NOTICED*

**Movant**

**JONATHAN LEE RICHES**  
R40948-018  
LEXINGTON  
FEDERAL MEDICAL CENTER  
Inmate Mail/Parcels  
P.O. BOX 14500  
LEXINGTON, KY 40512  
*TERMINATED: 11/09/2009*

represented by **Kathleene A. Molen**  
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*TERMINATED: 12/14/2009*  
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Date Filed	#	Docket Text
12/20/2004	<u>1</u>	COMPLAINT against DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1-10, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY (Filing fee \$ 150) filed by RALPH

		SCHOENMAN.(cp, ) Additional attachment(s) added on 12/28/2004 (cp, ). (Entered: 12/23/2004)
12/20/2004		Summons Issued (10) as to DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY. (cp, ) (Entered: 12/27/2004)
12/29/2004	<u>2</u>	ORDER Establishing Procedures for Electronic Filing for Cases Assigned to Judge Colleen Kollar-Kotelly signed on December 29, 2004. (SM) (Entered: 12/29/2004)
01/28/2005	<u>3</u>	NOTICE of Appearance by Niels Stefan Quist on behalf of all defendants (Quist, Niels) (Entered: 01/28/2005)
01/28/2005	<u>4</u>	ANSWER to Complaint by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1-10, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY.(Quist, Niels) (Entered: 01/28/2005)
03/30/2005	<u>5</u>	MOTION for Order <i>Requiring Defs to Release All Nonexempt Records or Portions Thereof</i> by RALPH SCHOENMAN. (Lesar, James) (Entered: 03/30/2005)
04/13/2005	<u>6</u>	Memorandum in opposition to motion re <u>5</u> <i>requiring defendants to release all nonexempt documents by a date certain</i> filed by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1-10, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY. (Quist, Niels) (Entered: 04/13/2005)
04/25/2005	<u>7</u>	Unopposed MOTION for Extension of Time to <i>Reply to Defs' Opp. to Pls' Mot. to Release Docs. by a Date Certain</i> by RALPH SCHOENMAN. (Lesar, James) (Entered: 04/25/2005)
04/29/2005	<u>8</u>	ENTERED IN ERROR.....Memorandum in opposition to motion re <u>5</u> <i>Reply to Defs' Opp. to Pls Motion to Require Release of Nonexempt Records</i> filed by RALPH SCHOENMAN. (Lesar, James) Modified on 5/2/2005 (nmw, ). (Entered: 04/29/2005)
05/02/2005		NOTICE OF CORRECTED DOCKET ENTRY: Document No. 8 was entered in error and counsel was instructed to refile said pleading. (nmw, ) (Entered: 05/02/2005)
05/02/2005	<u>9</u>	REPLY to opposition to motion re <u>5</u> <i>to Require Defs to Release All Nonexempt Documents</i> filed by RALPH SCHOENMAN. (Lesar, James) (Entered: 05/02/2005)
06/02/2005		MINUTE ENTRY: Paperless ORDER granting nunc pro tunc <u>7</u> Unopposed Motion for Extension of Time to file opposition. Signed by Judge Colleen Kollar-Kotelly on June 2, 2005. (SM) (Entered: 06/02/2005)
06/13/2005	<u>10</u>	MOTION to Dismiss for Lack of Jurisdiction by DEPARTMENT OF NAVY, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF ARMY. (Attachments: # <u>1</u> Affidavit Declaration of Captain Alexander Whitaker# <u>2</u> Affidavit Declaration of Lieutenant Jason L. Jones# <u>3</u> Exhibit Exhibit A to Declaration of Lt. Jason L. Jones# <u>4</u> Exhibit Exhibit B to Declaration of Lt. Jason L. Jones-Navy# <u>5</u> Exhibit Exhibit C to Declaration of Lt. Jason L. Jones# <u>6</u> Exhibit Exhibit D to Declaration of Lt. Jason L. Jones# <u>7</u> Exhibit Exhibit E to Declaration of Lt. Jason L. Jones# <u>8</u> Exhibit Exhibit F to Declaration of Lt. Jason L. Jones# <u>9</u> Affidavit Declaration of Anne C. Costa-Air Force# <u>10</u> Exhibit Exhibit A to Declaration of Anne C. Costa# <u>11</u> Affidavit Declaration of John M. Espinal-Air Force# <u>12</u> Affidavit Declaration of



		Scott Koch–CIA# <u>13</u> Exhibit Exhibit A to Declaration of Scott Koch# <u>14</u> Exhibit Exhibit B to Declaration of Scott Koch# <u>15</u> Exhibit Exhibit C to Declaration of Scott Koch# <u>16</u> Exhibit Exhibit D to Declaration of Scott Koch# <u>17</u> Exhibit Exhibit E to Declaration of Scott Koch# <u>18</u> Affidavit Declaration of David Mengel–NARA# <u>19</u> Affidavit Declaration of Louis F. Giles–NSA# <u>20</u> Affidavit Declaration of Bruno C. Leuyer–Army# <u>21</u> Exhibit Exhibit A to Declaration of Bruno C. Leuyer# <u>22</u> Exhibit Exhibit B to Declaration of Bruno C. Leuyer# <u>23</u> Affidavit Declaration of Susan Butterfield–INSCOM# <u>24</u> Exhibit Exhibit A to Declaration of Susan Butterfield# <u>25</u> Exhibit Attachment A–Slip Opinion# <u>26</u> Exhibit Attachment B–Slip Opinion)(Quist, Niels) (Entered: 06/13/2005)
06/25/2005	<u>11</u>	MOTION for Extension of Time to File Response/Reply to <i>Def's Motion for Partial Dismissal</i> by RALPH SCHOENMAN. (Lesar, James) (Entered: 06/25/2005)
07/06/2005	<u>12</u>	Unopposed MOTION for Extension of Time to <i>Respond to Defendants' Motion for Partial Dismissal</i> by RALPH SCHOENMAN. (Lesar, James) (Entered: 07/06/2005)
07/06/2005		MINUTE ENTRY – Paperless ORDER granting nunc pro tunc <u>11</u> Unopposed Motion for Extension of Time to File Response to Defendants' Motion for Partial Dismissal until and including July 5, 2005, and granting 2nd <u>12</u> Unopposed Motion for Extension of Time to File Response to Defendants' Motion for Partial Dismissal until and including July 8, 2005. Signed by Judge Colleen Kollar–Kotelly on July 6, 2005. (SM) (Entered: 07/06/2005)
07/12/2005	<u>13</u>	Memorandum in opposition to motion re <u>10</u> <i>Partial Dismissal of Certain Defendants</i> filed by RALPH SCHOENMAN. (Attachments: # <u>1</u> )(Lesar, James) (Entered: 07/12/2005)
07/13/2005	<u>14</u>	Unopposed MOTION for Leave to File <i>Opposition to Motion for Partial Dismissal Out–of–Time</i> by RALPH SCHOENMAN. (Lesar, James) (Entered: 07/13/2005)
07/20/2005	<u>15</u>	REPLY to opposition to motion re <u>10</u> <i>partial dismissal</i> filed by DEPARTMENT OF NAVY, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF ARMY. (Attachments: # <u>1</u> Exhibit Attachment A–Slip Opinion# <u>2</u> Exhibit Attachment B–Slip Opinion)(Quist, Niels) (Entered: 07/20/2005)
07/21/2005		MINUTE ENTRY – Paperless ORDER granting nunc pro tunc Plaintiff's late–filed <u>14</u> Unopposed Motion for Extension of Time Within Which to Respond to Defendants' Motion for Partial Dismissal until and including July 8, 2005. Signed by Judge Colleen Kollar–Kotelly on July 21, 2005. (SM) (Entered: 07/21/2005)
01/20/2006	<u>16</u>	MOTION to Dismiss ( <i>Partial</i> ) for <i>Lack of Jurisdiction</i> by DEPARTMENT OF STATE, FEDERAL BUREAU OF INVESTIGATION, DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Affidavit Declaration of David Hardy & Exhibits A to I# <u>2</u> Exhibit Exhibits J to U to Declaration of David Hardy# <u>3</u> Exhibit Exhibits V to FF to Declaration of David Hardy# <u>4</u> Affidavit Declaration of Margaret Grafeld# <u>5</u> Exhibit Exhibit A to Declaration of Margaret Grafeld# <u>6</u> Exhibit Exhibit B to Declaration of Margaret Grafeld)(Quist, Niels) (Entered: 01/20/2006)
02/08/2006	<u>17</u>	Unopposed MOTION for Extension of Time to <i>Respond to Motion to Dismiss</i> by RALPH SCHOENMAN. (Lesar, James) (Entered: 02/08/2006)
02/08/2006	<u>18</u>	NOTICE of Change of Address by Niels Stefan Quist (Quist, Niels) (Entered: 02/08/2006)
02/08/2006		MINUTE ENTRY – PAPERLESS ORDER granting <u>17</u> Unopposed Motion for Extension of Time to Respond to Motion of Certain Defendants to Dismiss. Plaintiff shall have until and including February 28, 2006, to respond. Signed by Judge Colleen Kollar–Kotelly on February 8, 2006. (SM) (Entered: 02/08/2006)
02/28/2006	<u>19</u>	Unopposed MOTION for Extension of Time to <i>Respond to Motion to Dismiss Certain Defendants</i> by RALPH SCHOENMAN. (Lesar, James) (Entered: 02/28/2006)



03/06/2006		MINUTE ORDER (paperless): It is hereby ORDERED that <u>19</u> Plaintiff's Unopposed Motion for Extension of Time to Respond to Certain Defendants' Motion to Dismiss is GRANTED. Plaintiff, as set forth in the motion, shall have up to and including March 8, 2006 to file his Reply. Signed by Judge Colleen Kollar-Kotelly on March 6, 2006. (lcckk2) (Entered: 03/06/2006)
03/08/2006	<u>20</u>	Unopposed MOTION for Extension of Time to <i>Respond to Motion to Dismiss Certain Defendants</i> by RALPH SCHOENMAN. (Lesar, James) (Entered: 03/08/2006)
03/14/2006		MINUTE ORDER (paperless): It is hereby ORDERED that <u>20</u> Plaintiff's Unopposed Motion for Extension of Time to Respond to Motion to Dismiss Certain Defendants is GRANTED nunc pro tunc. Plaintiff's Response shall be due on or before March 17, 2006. It is further ORDERED that because the viability of <u>5</u> Plaintiff's Motion for Order requiring Defendants' to Release All Nonexempt Records or Portions Thereof may be affected by the Court's future resolution of the jurisdictional issues raised in <u>10</u> and <u>16</u> Defendants' Motions to Dismiss for Lack of Jurisdiction, the Court shall DENY WITHOUT PREJUDICE <u>5</u> Plaintiff's Motion for Order requiring Defendants' to Release All Nonexempt Records or Portions Thereof at this time. Should the Court determine that it does have jurisdiction over some or all of Plaintiff's FOIA requests, the Court shall reinstitute Plaintiff's motion and make a ruling on the merits. Signed by Judge Colleen Kollar-Kotelly on March 14, 2006. (lcckk2) (Entered: 03/14/2006)
03/20/2006	<u>21</u>	Unopposed MOTION for Leave to File <i>Response to Motion for Partial Dismissal</i> by RALPH SCHOENMAN. (Attachments: # <u>1</u> Response to Motion for Partial Dismissal# <u>2</u> Affidavit Declarataion of James H. Lesar)(Lesar, James) (Entered: 03/20/2006)
03/22/2006	<u>22</u>	NOTICE of Appearance by Joshua Thomas Raines on behalf of all defendants (Raines, Joshua) (Entered: 03/22/2006)
03/22/2006	<u>23</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1-10, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY. Attorney Niels Stefan Quist terminated. (Quist, Niels) (Entered: 03/22/2006)
03/23/2006	<u>24</u>	Unopposed MOTION for Extension of Time to File Response/Reply to <u>21</u> <i>Plaintiff's Response to Defendants' Motion for Partial Dismissal</i> by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1-10, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY. (Raines, Joshua) (Entered: 03/23/2006)
03/23/2006		MINUTE ENTRY ORDER granting <u>21</u> Unopposed Motion for Leave to File Plaintiff's Opposition to Defendants' Motion for Partial Dismissal Out-of-Time on March 20, 2006; and granting <u>24</u> Defendants' Unopposed Motion for Enlargement of Time within which to file its reply to Plaintiff's Response to Defendants' Motion for Partial Dismissal. Defendants shall have until and including April 28, 2006, to file its reply to Plaintiff's opposition <u>21</u> . Signed by Judge Colleen Kollar-Kotelly on March 23, 2006. (SM) (Entered: 03/23/2006)
03/31/2006	<u>25</u>	ORDER granting <u>10</u> Defendants' (CIA, NARA, NSA, Air Force, Army, and Navy) Motion to Dismiss. Signed by Judge Colleen Kollar-Kotelly on March 31, 2006. (lcckk2) (Entered: 03/31/2006)
03/31/2006	<u>26</u>	MEMORANDUM OPINION. Signed by Judge Colleen Kollar-Kotelly on March 31, 2006. (lcckk2) (Entered: 03/31/2006)

04/28/2006	<u>27</u>	REPLY to opposition to motion re <u>16</u> MOTION to Dismiss ( <i>Partial</i> ) for Lack of Jurisdiction filed by DEPARTMENT OF STATE, FEDERAL BUREAU OF INVESTIGATION, DEPARTMENT OF JUSTICE. (Raines, Joshua) (Entered: 04/28/2006)
06/05/2006	<u>28</u>	ORDER granting in part and denying in part <u>16</u> Defendants' Partial Motion to Dismiss; specifically, Defendants' motion is granted except to the extent that it relates to Plaintiff's Request No. 948768 to the FBI Paris Legat (a request pursuant to which Defendants withdrew their jurisdictional objections) and to the extent that it relates to Plaintiff's Request No. 954768 from the FBI Los Angeles Field Office (a request pursuant to which Defendants withdrew their jurisdictional objections). FURTHER ORDERING that the parties are to confer and file a Joint Status Report by Monday, June 26, 2006 setting out (1) what claims remain; (2) how the parties wish to proceed; and (3) a proposed schedule for any future filings. Signed by Judge Colleen Kollar-Kotelly on June 5, 2006. (lcckk2) (Entered: 06/05/2006)
06/05/2006	<u>29</u>	MEMORANDUM OPINION. Signed by Judge Colleen Kollar-Kotelly on June 5, 2006. (lcckk2) (Entered: 06/05/2006)
06/26/2006	<u>30</u>	STATUS REPORT by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1-10, RALPH SCHOENMAN, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY. (Raines, Joshua) (Entered: 06/26/2006)
06/29/2006		MINUTE ORDER (paperless): The Court hereby adopts the schedule jointly proposed by the parties in their June 26, 2006 Status Report. The parties are to file — by August 30, 2006 — a proposed schedule for release of the responsive documents yet to be released and/or a proposed schedule governing future filings. Signed by Judge Colleen Kollar-Kotelly on June 29, 2006. (lcckk2) (Entered: 06/29/2006)
08/30/2006	<u>31</u>	NOTICE of filing of Joint Proposal for New Schedule by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1-10, RALPH SCHOENMAN, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY (Raines, Joshua) (Entered: 08/30/2006)
08/31/2006		MINUTE ORDER (paperless): The Court hereby adopts the schedule jointly proposed by the parties in their <u>31</u> August 30, 2006 Joint Proposal for New Schedule. The parties are to file — by Wednesday, October 25, 2006 — a proposed schedule for release of the responsive documents yet to be released and/or a proposed schedule governing future filings. Signed by Judge Colleen Kollar-Kotelly on August 31, 2006. (lcckk2) (Entered: 08/31/2006)
10/25/2006	<u>32</u>	NOTICE of filing of Joint Proposed Release and Briefing Schedule by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1-10, RALPH SCHOENMAN, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY (Raines, Joshua) (Entered: 10/25/2006)
10/26/2006		MINUTE ENTRY ORDER (paperless). The Court hereby approves the parties' Joint Proposed Release and Briefing Schedule and orders the parties to submit a status report to the Court on or before February 9, 2007. Signed by Judge Colleen Kollar-Kotelly on October 26, 2006. (lcckk2) (Entered: 10/26/2006)
02/09/2007	<u>33</u>	STATUS REPORT by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1-10, RALPH SCHOENMAN, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE

		AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY. (Raines, Joshua) (Entered: 02/09/2007)
02/20/2007		MINUTE ENTRY ORDER (Paperless): Pursuant to the Joint Status Report filed by the Parties on February 9, 2007, the previously set briefing schedule is hereby vacated. It is FURTHER ORDERED that the Parties shall file a Joint Status Report by March 21, 2007, with a Revised Briefing Schedule. Signed by Judge Colleen Kollar-Kotelly on February 20, 2007. (SM) (Entered: 02/20/2007)
02/20/2007		Set/Reset Deadlines: Joint Status Report due by 3/21/2007. (dot, ) (Entered: 02/27/2007)
03/21/2007	<u>34</u>	STATUS REPORT by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1-10, RALPH SCHOENMAN, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY. (Raines, Joshua) (Entered: 03/21/2007)
03/22/2007		MINUTE ENTRY ORDER – Pursuant to the Joint Status Report filed on March 22, 2007, the parties shall file a Proposed Briefing Schedule by July 11, 2007. Signed by Judge Colleen Kollar-Kotelly on March 22, 2007. (SM) (Entered: 03/22/2007)
03/22/2007		Set/Reset Deadlines: Proposed Briefing Schrdule due by 7/11/2007. (dot, ) (Entered: 03/23/2007)
06/11/2007	<u>35</u>	NOTICE of Appearance by Kathleene A. Molen on behalf of all defendants (Molen, Kathleene) (Entered: 06/11/2007)
06/11/2007	<u>36</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1-10, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY. Attorney Joshua Thomas Raines terminated. (Raines, Joshua) (Entered: 06/11/2007)
07/11/2007	<u>37</u>	STATUS REPORT <i>and proposed briefing schedule</i> by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1-10, RALPH SCHOENMAN, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY. (Molen, Kathleene) (Entered: 07/11/2007)
07/12/2007		MINUTE ORDER. As proposed in the joint Status Report filed by the parties on July 11, 2007, Defendants the Defense Intelligence Agency, the Department of the Air Force, the Criminal Division of the Department of Justice, the Department of the Army, and the Department of the Navy shall file their motion for summary judgment on or before October 1, 2007. Plaintiff shall file his response to that motion on or before November 5, 2007, and Defendants shall file their reply, if any, by December 10, 2007. In addition, Plaintiff shall complete his selection of documents to be the subject of defendants' Vaughn Indices, and notify the FBI, the CIA, and the Department of State of his selection, by August 31, 2007. On or before September 17, 2007, the parties shall file a proposed briefing schedule for the records possessed by the remaining defendants — the FBI, the CIA, and the Department of State. Signed by Judge Colleen Kollar-Kotelly on July 12, 2007. (lcckk2) (Entered: 07/12/2007)
07/16/2007		Set Deadlines/Hearings: Briefing Schedule due by 9/17/2007. Vaughn Indies due by 8/31/07. Summary Judgment motions due by 10/1/2007. Response to Motion for Summary Judgment due by 11/5/2007. Reply to Motion for Summary

		Judgment due by 12/10/2007. (dot, ) (Entered: 07/16/2007)
09/17/2007	<u>38</u>	STATUS REPORT <i>and proposed briefing schedule</i> by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1–10, RALPH SCHOENMAN, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY. (Molen, Kathleene) (Entered: 09/17/2007)
09/20/2007		MINUTE ORDER: Pursuant to the Joint Status Report filed by the parties on September 17, 2007, plaintiff shall complete his selection of documents to be the subject of defendants' Vaughn Indices, and shall notify the FBI, the CIA, and the Department of State of his selection by October 1, 2007. It is FURTHER ORDERED that the parties shall file a joint status report with a proposed briefing schedule for those records selected by plaintiff from those processed by the FBI, the CIA, and the Department of State by October 24, 2007. Signed by Judge Colleen Kollar-Kotelly on September 20, 2007. (SM) (Entered: 09/20/2007)
09/21/2007		Set/Reset Deadlines: Joint Status Report due by 10/24/2007. (dot, ) (Entered: 09/21/2007)
10/01/2007	<u>39</u>	MOTION for Summary Judgment by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1–10, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY (Attachments: # <u>1</u> Declaration Declaration of Pamela A. Roberts with attached exhibits# <u>2</u> Declaration Declaration of Brian S. Kinsey with attached exhibits# <u>3</u> Declaration Declaration of Michael L. Bietsch# <u>4</u> Declaration Second Declaration of Anne C. Costa with attached exhibits# <u>5</u> Declaration Declaration of Lieutenant Commander Nieva Brock with attached exhibits# <u>6</u> Declaration Declaration of Susan J. Butterfield with attached exhibits)(Molen, Kathleene) (Entered: 10/01/2007)
10/05/2007	<u>40</u>	NOTICE <i>Errata and Notice of Filing</i> by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1–10, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY (Attachments: # <u>1</u> Declaration Corrected copy of Butterfield declaration)(Molen, Kathleene) (Entered: 10/05/2007)
10/24/2007	<u>41</u>	STATUS REPORT <i>Joint Status Report and Proposed Briefing Schedule</i> by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1–10, RALPH SCHOENMAN, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY. (Molen, Kathleene) (Entered: 10/24/2007)
11/03/2007	<u>42</u>	Unopposed MOTION for Extension of Time to <i>Respond to Five Defendants' Motions for Summary Judgment</i> by RALPH SCHOENMAN (Lesar, James) (Entered: 11/03/2007)
11/06/2007		MINUTE ORDER: Pursuant to the Joint Status Report (#41) filed on October 24, 2007, the Court adopts the parties proposed schedule as follows: Defendant Department of State shall file its Motion for Summary Judgment by January 23, 2008; Plaintiff shall file his response by February 25, 2008; and Department of State shall file its reply by March 25, 2008. FURTHER ORDERED that the parties shall file a proposed briefing schedule for the records processed by the FBI and CIA by November 30, 2007, at which time the parties shall update the Court on the status of NARA's settlement proposal. Signed by Judge Colleen Kollar-Kotelly on



		November 6, 2007. (SM) (Entered: 11/06/2007)
11/06/2007		MINUTE ORDER granting <u>42</u> Unopposed Motion to Extend Time to Respond to Pending Summary Judgment Motions of Five Defendants. Accordingly, Plaintiff shall have until and including November 9, 2007 to respond to the pending summary judgment motions of five defendants. Signed by Judge Colleen Kollar-Kotelly on November 6, 2007. (SM) (Entered: 11/06/2007)
11/09/2007		Set Deadlines/Hearings: Briefing schedule due by 11/30/2007. Summary Judgment motions due by 1/23/2008. Response to Motion for Summary Judgment due by 2/25/2008. Reply to Motion for Summary Judgment due by 3/25/2008. (dot, ) (Entered: 11/09/2007)
11/09/2007	<u>43</u>	Cross MOTION for Summary Judgment <i>re Five Defendants</i> by RALPH SCHOENMAN (Attachments: # <u>1</u> Memorandum of Points and Authorities# <u>2</u> Proposed Order# <u>3</u> Exhibit Attachment A# <u>4</u> Affidavit Schoenman Declaration)(Lesar, James) (Entered: 11/09/2007)
11/09/2007	45	Memorandum in opposition to re <u>39</u> MOTION for Summary Judgment filed by RALPH SCHOENMAN. (see Docket Entry <u>43</u> to view document) (ks, ) (Entered: 11/13/2007)
11/12/2007	<u>44</u>	NOTICE of Filing by RALPH SCHOENMAN (Attachments: # <u>1</u> Supplement motion# <u>2</u> Supplement Local Rule 7.1(h) Statement)(Lesar, James) (Entered: 11/12/2007)
11/30/2007	<u>46</u>	STATUS REPORT <i>Joint Status Report and Proposed Briefing Schedule</i> by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1-10, RALPH SCHOENMAN, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY. (Molen, Kathleene) (Entered: 11/30/2007)
12/03/2007		ORDER: Pursuant to the Status Report submitted by the parties on November 30, 2007, the Court has approved the parties proposed briefing schedule as follows: Defendant FBI shall file its Vaughn Index by June 30, 2008; the FBI shall file its motion for summary judgment by July 29, 2008, Plaintiff shall file his response by September 19, 2008, and the FBI shall file its reply by October 17, 2008. As for Defendant CIA's Vaughn Index, the parties shall file a proposed briefing schedule by January 10, 2008, for the records processed by the CIA. Signed by Judge Colleen Kollar-Kotelly on December 3, 2007. (SM) (Entered: 12/03/2007)
12/04/2007		Set Deadlines/Hearings: Defendant FBI shall file its Vaughn Index by 6/30/08. Parties shall file a proposed briefing schedule due by 1/10/2008. Defendant FBI shall file Summary Judgment motions due by 7/29/2008. Response to Motion for Summary Judgment due by 9/19/2008. Reply to Motion for Summary Judgment due by 10/17/2008. (dot, ) (Entered: 12/04/2007)
12/05/2007	<u>47</u>	Unopposed MOTION for Extension of Time to <i>file defendants' opposition to plaintiff's cross-motion for summary judgment</i> by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1-10, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY (Molen, Kathleene) (Entered: 12/05/2007)
12/10/2007		MINUTE ORDER granting <u>47</u> Defendants' Unopposed Motion for Enlargement of Time. Defendants shall file their opposition to Plaintiff's cross-motion for summary judgment on or before December 14, 2007. Signed by Judge Colleen Kollar-Kotelly on December 10, 2007. (lcckk2) (Entered: 12/10/2007)
12/14/2007	<u>48</u>	Memorandum in opposition to re <u>43</u> Cross MOTION for Summary Judgment <i>re Five Defendants</i> filed by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION,

		NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1–10, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY. (Attachments: # <u>1</u> Declaration Declaration of William B. Huntington# <u>2</u> Declaration Second Declaration of Michael L. Bietsch# <u>3</u> Declaration Supplemental Declaration of Lieutenant Commander Nieva Brock# <u>4</u> Declaration Supplemental Declaration of Susan J. Butterfield)(Molen, Kathleene) (Entered: 12/14/2007)
12/14/2007	<u>49</u>	REPLY to opposition to motion re <u>39</u> MOTION for Summary Judgment filed by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1–10, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY. (See Docket Entry <u>48</u> to view document). (nmw, ) (Entered: 12/17/2007)
01/10/2008	<u>50</u>	STATUS REPORT <i>Joint Status Report and Proposed Briefing Schedule</i> by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1–10, RALPH SCHOENMAN, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY. (Molen, Kathleene) (Entered: 01/10/2008)
01/10/2008		MINUTE ORDER: The Court hereby approves the briefing schedule proposed by the parties in their Status Report (#50) filed on January 10, 2008. Accordingly, Defendant CIA shall file its Motion for Summary Judgment by May 30, 2008; Plaintiff shall file his Response by July 21, 2008; and Defendant CIA shall file its Reply, if any, by August 21, 2008; and it is FURTHER ORDERED that the parties shall file a Status Report regarding Defendant NARA's working settlement proposal by April 30, 2008. Signed by Judge Colleen Kollar-Kotelly on January 10, 2008. (SM) (Entered: 01/10/2008)
01/10/2008		Set Deadlines/Hearings: Status Report due by 4/30/2008. Defendant CIA Summary Judgment motions due by 5/30/2008. Response to Motion for Summary Judgment due by 7/21/2008. Reply to Motion for Summary Judgment due by 8/21/2008. (dot, ) (Entered: 01/15/2008)
01/16/2008	<u>51</u>	Joint MOTION for Extension of Time to <i>file motion for summary judgment and to file response to motion for summary judgment</i> by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1–10, RALPH SCHOENMAN, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY (Molen, Kathleene) (Entered: 01/16/2008)
01/17/2008		MINUTE ORDER granting <u>51</u> Joint Motion for Enlargement of Time. Accordingly, Defendant State shall have until and including February 8, 2008, to file its motion for summary judgment; and Plaintiff shall have until and including March 12, 2008 to respond to Defendant States motion for summary judgment. Signed by Judge Colleen Kollar-Kotelly on January 17, 2008. (SM) (Entered: 01/17/2008)
01/17/2008		Set/Reset Deadlines: Defendant State Summary Judgment motions due by 2/8/2008. Response to Motion for Summary Judgment due by 3/12/2008. (dot, ) (Entered: 01/22/2008)
02/08/2008	<u>52</u>	MOTION for Summary Judgment <i>Motion for Summary Judgment on Behalf of Defendant United States Department of State</i> by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1–10, FEDERAL BUREAU OF INVESTIGATION, CENTRAL

		INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY (Attachments: # <u>1</u> Declaration Second Declaration of Margaret P. Grafeld on behalf of the Department of State, # <u>2</u> Attachment A – copy of slip opinion)(Molen, Kathleene) (Entered: 02/08/2008)
03/10/2008	<u>53</u>	Unopposed MOTION for Extension of Time to <i>Respond to Defendanta Department of State's Motion for Summary Judgment</i> by RALPH SCHOENMAN (Lesar, James) (Entered: 03/10/2008)
03/12/2008		MINUTE ORDER granting Plaintiff's <u>53</u> Unopposed Motion to Extend Time to Respond to Defendant Department of State's Motion for Summary Judgment. Accordingly, Plaintiff shall file his response to Defendant's Motion for Summary Judgment on or before March 24, 2008; and Defendant Department of State shall file its reply on or before April 16, 2008. Signed by Judge Colleen Kollar-Kotelly on March 12, 2008. (SM) (Entered: 03/12/2008)
03/12/2008		Set/Reset Deadlines/Hearings: Plaintiff's Response to Motion for Summary Judgment due by 3/24/2008. Defendant Department of State Reply to Motion for Summary Judgment due by 4/16/2008. (dot, ) (Entered: 03/18/2008)
03/19/2008	<u>54</u>	Unopposed MOTION for Extension of Time to <i>Respnod to Defendant Deparrtment of State's Moton for Summary Judgment</i> by RALPH SCHOENMAN (Lesar, James) (Entered: 03/19/2008)
03/20/2008	<u>55</u>	ORDER. Plaintiff's <u>54</u> Unopposed Motion for Further Extension of Time to Respond to Defendant Department of States Motion for Summary Judgment is GRANTED; Plaintiff's response to Defendant Department of State's motion for summary judgment shall be due on or before April 7, 2008, and Defendant Department of State's Reply to Plaintiff's response shall be due on or before May 7, 2008. There shall be NO FURTHER EXTENSIONS in this case. Counsel are expected to prioritize and manage their responsibilities in order to ensure that they meet their obligations to this Court. Signed by Judge Colleen Kollar-Kotelly on March 20, 2008. (lcckk2) (Entered: 03/20/2008)
03/20/2008		Set/Reset Deadlines: Plaintiff's Response to Motion for Summary Judgment due by 4/7/2008. Defendant Department of States's Reply to Motion for Summary Judgment due by 4/7/2008. (dot, ) (Entered: 03/27/2008)
04/07/2008	<u>56</u>	MOTION for Partial Summary Judgment by RALPH SCHOENMAN (Attachments: # <u>1</u> Local Rule Statement, # <u>2</u> Affidavit Second Schoenman Declaration)(Lesar, James) (Entered: 04/07/2008)
04/30/2008	<u>57</u>	STATUS REPORT <i>Joint Status Report</i> by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1–10, RALPH SCHOENMAN, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY. (Molen, Kathleene) (Entered: 04/30/2008)
05/06/2008		MINUTE ORDER (paperless): Pursuant to the Joint Status Report filed on April 30, 2008, the Court adopts the parties' proposed schedule. Accordingly, the Department of State shall file its reply in support of its motion for summary judgment and opposition to Plaintiff's cross-motion by May 7, 2008; the Central Intelligence Agency will file its motion for summary judgment by May 30, 2008, and the Federal Bureau of Investigation will file its motion for summary judgment by July 29, 2008. As to NARA, the parties shall submit a status report on or before May 23, 2008, that would inform the Court of the final outcome of the parties' current negotiations. If the parties reach a final agreement on or before May 23, 2008, the parties will file a Stipulation and Order emobdying the parties' working settlement proposal on or before June 23, 2008. Signed by Judge Colleen Kollar-Kotelly on May 6, 2008. (SM) (Entered: 05/06/2008)
05/07/2008	<u>58</u>	REPLY to opposition to motion re <u>56</u> MOTION for Partial Summary Judgment <i>Defendants' Opposition to Plaintiff's Cross-Motion for Summary Judgment and</i>



		<i>Reply in Further Support of Defendant United States Department of State's Motion for Summary Judgment</i> filed by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1-10, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY. (Attachments: # <u>1</u> Declaration Third Declaration of Margaret P. Grafeld)(Molen, Kathleene) (Entered: 05/07/2008)
05/07/2008	<u>59</u>	Memorandum in opposition to re <u>56</u> MOTION for Partial Summary Judgment filed by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1-10, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY. (See Docket Entry <u>58</u> to view document). (nmw, ) (Entered: 05/08/2008)
05/14/2008	<u>60</u>	NOTICE <i>Notice of Filing</i> by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1-10, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY (Molen, Kathleene) (Entered: 05/14/2008)
05/19/2008	<u>61</u>	REPLY to opposition to motion re <u>52</u> MOTION for Summary Judgment <i>Motion for Summary Judgment on Behalf of Defendant United States Department of State</i> filed by RALPH SCHOENMAN. (Attachments: # <u>1</u> Affidavit Third Schoenman Decl.)(Lesar, James) (Entered: 05/19/2008)
05/20/2008	<u>62</u>	STATUS REPORT <i>Joint Status Report</i> by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1-10, RALPH SCHOENMAN, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY. (Molen, Kathleene) (Entered: 05/20/2008)
05/20/2008	<u>63</u>	Unopposed MOTION to Amend/Correct <i>Defendants' Unopposed Motion to Amend Briefing Schedule</i> by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1-10, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY (Attachments: # <u>1</u> Declaration Third Declaration of Lieutenant Commander Nieva Brock)(Molen, Kathleene) (Entered: 05/20/2008)
05/22/2008		MINUTE ORDER. The Court has reviewed Defendants' May 14, 2006 <u>60</u> Notice and Defendants' <u>63</u> Unopposed Motion to Amend Briefing Schedule. The Court understands that a mistake has been made with respect to three lines withheld by Defendant Navy, and that the parties will have to file additional briefing regarding those lines. However, the Court does not agree to the schedule proposed in Defendants' Motion, as it would stretch briefing on the five defendants' motions for summary judgment (which was completed in December 2007) well into the fall of this year. The Court sees no need to coordinate briefing on the three lines withheld by Department Navy with the briefing on Defendant FBI's motion for summary judgment. Accordingly, the Court shall GRANT-IN-PART and DENY-IN-PART Defendants' <u>63</u> Unopposed Motion to Amend Briefing Schedule. Specifically, Defendants' request to amend the briefing schedule for Defendant Navy's motion for summary judgment is granted; however, Defendant Navy shall file its motion for summary judgment pertaining to the three withheld lines on or before June 12, 2008; Plaintiff shall file his Opposition to Defendants'

		motion for summary judgment regarding the three lines on or before July 3, 2008; and Defendants shall file their Reply on or before July 18, 2008. Signed by Judge Colleen Kollar-Kotelly on May 22, 2008. (lcckk2) (Entered: 05/22/2008)
05/22/2008		MINUTE ORDER adopting the proposal set forth in the parties' <u>62</u> May 20, 2008 Join Status Report. Accordingly, the parties shall file with the Court a Stipulation and Order embodying their working settlement proposal regarding Defendant National Archives and Records Administration on or before June 20, 2008. Signed by Judge Colleen Kollar-Kotelly on May 22, 2008. (lcckk2) (Entered: 05/22/2008)
05/30/2008	<u>64</u>	MOTION for Summary Judgment <i>Motion for Summary Judgment on Behalf of Defendant Central Intelligence Agency</i> by CENTRAL INTELLIGENCE AGENCY (Attachments: # <u>1</u> Declaration Declaration of Ralph S. DiMaio, # <u>2</u> Exhibit Exhibits A–J – Ralph S. DiMaio's Declaration)(Molen, Kathleene) Modified filer on 1/24/2011 (znmw, ). (Entered: 05/30/2008)
06/03/2008	<u>65</u>	NOTICE <i>Notice of Filing</i> by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1–10, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY re <u>64</u> MOTION for Summary Judgment <i>Motion for Summary Judgment on Behalf of Defendant Central Intelligence Agency</i> (Attachments: # <u>1</u> Declaration Attachment A – CIA declaration & modified page 54, # <u>2</u> Supplement Attachment B – amended page 14 of the memorandum of points and authorities)(Molen, Kathleene) (Entered: 06/03/2008)
06/12/2008	<u>66</u>	Supplemental MOTION for Summary Judgment <i>Supplemental Motion for Summary Judgment on Behalf of Defendant United States Department of the Navy</i> by DEPARTMENT OF NAVY (Attachments: # <u>1</u> Declaration Declaration of Mr. Robert P. Bouchard, # <u>2</u> Declaration Fourth Declaration of LCDR Nieva M.S. Brock)(Molen, Kathleene) Modified filer on 1/24/2011 (znmw, ). (Entered: 06/12/2008)
06/20/2008	<u>67</u>	STIPULATION <i>Stipulation between Plaintiff and Defendant National Archives &amp; Records Administration</i> by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1–10, RALPH SCHOENMAN, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY. (Molen, Kathleene) (Entered: 06/20/2008)
06/30/2008	<u>68</u>	NOTICE <i>Preliminary Vaughn Index (Federal Bureau of Investigation)</i> by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1–10, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY (Attachments: # <u>1</u> Declaration Preliminary Vaughn Index and Exhibit A, # <u>2</u> Exhibit Exhibit B – Part 1, # <u>3</u> Exhibit Exhibit B – Part 2, # <u>4</u> Exhibit Exhibit B – Part 3, # <u>5</u> Exhibit Exhibit B – Part 4, # <u>6</u> Exhibit Exhibit B – Part 5)(Molen, Kathleene) (Entered: 06/30/2008)
07/03/2008	<u>69</u>	Memorandum in opposition to re <u>66</u> Supplemental MOTION for Summary Judgment <i>Supplemental Motion for Summary Judgment on Behalf of Defendant United States Department of the Navy</i> filed by RALPH SCHOENMAN. (Lesar, James) (Entered: 07/03/2008)
07/21/2008	<u>70</u>	Cross MOTION for Summary Judgment <i>and Opposition to CIA's Motion ffor Sumary Judgment</i> by RALPH SCHOENMAN (Attachments: # <u>1</u> Appendix Att. 1, # <u>2</u> Appendix Att. 2, # <u>3</u> Affidavit Schoenman Declaration, # <u>4</u> Affidavit Supplemental Schoenman Declaration)(Lesar, James) (Entered: 07/21/2008)
07/21/2008	71	Memorandum in opposition to re <u>64</u> MOTION for Summary Judgment <i>Motion for Summary Judgment on Behalf of Defendant Central Intelligence Agency</i> filed by

		RALPH SCHOENMAN. (See Docket Entry <u>70</u> to view document). (nmw, ) (Entered: 07/22/2008)
07/23/2008	<u>72</u>	NOTICE of Filing Local Rule 7.1(h) Statement by RALPH SCHOENMAN (Lesar, James) (Entered: 07/23/2008)
07/29/2008	<u>73</u>	MOTION for Summary Judgment <i>Motion For Summary Judgment on Behalf of Defendant Federal Bureau of Investigation</i> by FEDERAL BUREAU OF INVESTIGATION (Attachments: # <u>1</u> Declaration Second Declaration of David M. Hardy, # <u>2</u> Exhibit Exhibits A–N Attached to Second Declaration of Mr. Hardy, # <u>3</u> Exhibit Exhibits O–Z Attached to Second Declaration of Mr. Hardy, # <u>4</u> Exhibit Exhibits AA–NN Attached to Second Declaration of Mr. Hardy, # <u>5</u> Exhibit Exhibits OO–ZZ Attached to Second Declaration of Mr. Hardy, # <u>6</u> Exhibit Exhibits AAA–FFF Attached to Second Declaration of Mr. Hardy)(Molen, Kathleene) Modified filer on 1/24/2011 (znmw, ). (Entered: 07/29/2008)
07/30/2008	<u>74</u>	NOTICE <i>Notice of Filing</i> by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1–10, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY re <u>73</u> MOTION for Summary Judgment <i>Motion For Summary Judgment on Behalf of Defendant Federal Bureau of Investigation</i> (Attachments: # <u>1</u> Exhibit Attachment A)(Molen, Kathleene) (Entered: 07/30/2008)
08/05/2008		MINUTE ORDER (paperless). The Court's review of its files in Chambers reveals that courtesy copies have not been delivered of the numerous cross–motions for summary judgment currently pending in this case. The Court's standing order regarding electronically filed cases requires that parties deliver courtesy copies to CHAMBERS (rather than to the Clerk's office) of any filings that are more than 25 pages in length, inclusive of exhibits. Further, all exhibits included in courtesy copies should be tabbed. Accordingly, before 5:00 p.m. on Friday, August 8, 2008, the parties shall deliver tabbed courtesy copies of all briefs filed in connection with the pending motions for summary judgment to Chambers. In addition, going forward, the parties shall promptly deliver tabbed courtesy copies to Chambers of all filings over 25 pages in length. Signed by Judge Colleen Kollar–Kotelly on August 5, 2008. (lcckk2) (Entered: 08/05/2008)
08/21/2008	<u>75</u>	Memorandum in opposition to re <u>70</u> Cross MOTION for Summary Judgment <i>and Opposition to CIA's Motion ffor Sumary Judgment Defendants' Opposition to "Plaintiff's Cross–Motion for Summary Judgment With Respect to the Central Intelligence Agency" and Reply in Further Support of Defendant Central Intelligence Agency's Motion for Summary Judgment</i> filed by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1–10, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY. (Attachments: # <u>1</u> Statement of Facts Counter–Statement of Facts, # <u>2</u> Declaration Third Declaration of Ralph S. DiMaio)(Molen, Kathleene) (Entered: 08/21/2008)
08/21/2008	<u>76</u>	REPLY to opposition to motion re <u>70</u> Cross MOTION for Summary Judgment <i>and Opposition to CIA's Motion ffor Sumary Judgment Defendant's Opposition to "Plaintiff's Cross–Motion for Summary Judgment With Respect to the Central Intelligence Agency" and Reply in Further Support of Defendant Central Intelligence Agency's Motion For Summary Judgment</i> filed by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1–10, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY. (Attachments: # <u>1</u> Statement of Facts Counter–Statement of Facts, # <u>2</u> Declaration Third Declaration of Ralph S. DiMaio)(Molen, Kathleene) Modified on 8/22/2008 adding correct linkage(td, ).

		(Entered: 08/21/2008)
08/25/2008	<u>77</u>	ORDER. For the reasons set forth in the accompanying Memorandum Opinion: (1) the Five Defendants' <u>39</u> Motion for Summary Judgment is GRANTED-IN-PART insofar as it relates to the Criminal Division, the DIA, the Air Force, and the Army, and HELD IN ABEYANCE insofar as it relates to the Navy; (2) Plaintiff's <u>43</u> Cross-Motion for Summary Judgment is DENIED-IN-PART insofar as it relates to the Criminal Division, the DIA, the Air Force, and the Army, and HELD IN ABEYANCE insofar as it relates to the Navy; (3) the Navy's <u>66</u> Supplemental Motion for Summary Judgment is DENIED AS MOOT; and (4) on or before September 3, 2008, the Navy shall provide additional factual support for its invocation of FOIA Exemption 7(C), consistent with the accompanying Memorandum Opinion. No later than September 10, 2008, Plaintiff may file a response to the Nav's factual submission, if appropriate. If the Navy does not provide such additional factual support, the Court shall grant Plaintiff's Cross-Motion for Summary Judgment as to the Navy, and shall deny the Five Defendants' Motion for Summary Judgment as it relates to the Navy. Signed by Judge Colleen Kollar-Kotelly on August 25, 2008. (lcckk2) (Entered: 08/25/2008)
08/25/2008	<u>78</u>	MEMORANDUM OPINION. Signed by Judge Colleen Kollar-Kotelly on August 25, 2008. (lcckk2) (Entered: 08/25/2008)
09/01/2008	<u>79</u>	ORDER. For the reasons set forth in the accompanying Memorandum Opinion: (1) the State Department's <u>52</u> Motion for Summary Judgment is GRANTED-IN-PART insofar as it relates to the adequacy of the State Department's search, the State Department's segregation of non-exempt information, and the State Department's withholding of information from Documents P323 and P334, and is HELD IN ABEYANCE as to Documents P143 and P319; (2) Plaintiff's <u>56</u> Cross-Motion for Partial Summary Judgment is DENIED-IN-PART insofar as it relates to the adequacy of the State Department's search, the State Department's segregation of non-exempt information, and the State Department's withholding of information from Documents P323 and P334, and is HELD IN ABEYANCE as to Documents P143 and P319; and (3) no later than September 9, 2008, the State Department shall file a Notice (supported by an appropriate affidavit) addressing the following discrete issues: (a) what, if any, efforts the State Department undertook in response to Plaintiff's FOIA/PA request to determine whether the FBI legal attache whose name is withheld from Document P143 and the FBI agents whose names are withheld from Document P319 are alive or dead; and (b) the State Department's information as to whether those individuals are now alive or dead. After receiving that Notice, the Court shall consider the State Department's invocation of FOIA Exemptions 6 and 7(C), and shall determine whether any additional briefing from Plaintiff is necessary. Signed by Judge Colleen Kollar-Kotelly on September 1, 2008. (lcckk2) (Entered: 09/01/2008)
09/01/2008	<u>80</u>	MEMORANDUM OPINION. Signed by Judge Colleen Kollar-Kotelly on September 1, 2008. (lcckk2) (Entered: 09/01/2008)
09/03/2008	<u>81</u>	NOTICE OF FILING by DEPARTMENT OF NAVY (Attachments: # <u>1</u> Declaration, # <u>2</u> Exhibit)(Molen, Kathleene) (Entered: 09/03/2008)
09/03/2008	<u>82</u>	REPLY to opposition to motion re <u>70</u> Cross MOTION for Summary Judgment and Opposition to CIA's Motion ffor Sumary Judgment filed by RALPH SCHOENMAN. (Attachments: # <u>1</u> Affidavit Declaration of Joan Mellen, # <u>2</u> Affidavit Declaration of Ralph Schoenman in Response to Third Decl. of Ralph DiMaio)(Lesar, James) (Entered: 09/03/2008)
09/04/2008	<u>83</u>	NOTICE of Filing by RALPH SCHOENMAN (Attachments: # <u>1</u> Affidavit Declaration of Joan Mellen)(Lesar, James) (Entered: 09/04/2008)
09/09/2008	<u>84</u>	MOTION for Extension of Time to Respond to FBI's Motion for Summary Judgment by RALPH SCHOENMAN (Lesar, James) (Entered: 09/09/2008)
09/09/2008		MINUTE ORDER (paperless). Plaintiff's counsel is correct that the Court has previously stated that there will be no further extensions in this case. Nevertheless, the Court shall grant Plaintiff's <u>84</u> Motion for Extension of Time to file his Opposition to the FBI's Motion for Summary Judgment. Accordingly, Plaintiff's



		Opposition shall be filed no later than September 25, 2008. The Court reminds Plaintiff's counsel, however, that if he is going to file a response to the Navy's supplemental factual support for its Motion for Summary Judgment, he must do so by September 10, 2008, i.e., tomorrow. Signed by Judge Colleen Kollar-Kotelly on September 9, 2008. (lcckk2, ) (Entered: 09/09/2008)
09/09/2008	<u>85</u>	NOTICE OF FILING by DEPARTMENT OF STATE (Attachments: # <u>1</u> Declaration)(Molen, Kathleene) (Entered: 09/09/2008)
09/11/2008	<u>86</u>	MOTION to Strike in Part Declaration of Joseph P. Ceglie by RALPH SCHOENMAN (Lesar, James) (Entered: 09/11/2008)
09/15/2008	<u>87</u>	ORDER. For the reasons set forth in the accompanying Memorandum Opinion, the State Department's <u>52</u> Motion for Summary Judgment is GRANTED insofar as it relates to the State Department's withholding of information from Documents P143 and P319, and Plaintiff's <u>56</u> Cross-Motion for Partial Summary Judgment is DENIED insofar as it relates to the State Department's withholding of information from Documents P143 and P319. If the State Department has not already provided Plaintiff with a copy of Document P319 that includes the name of the deceased FBI agent, it shall do so promptly. Signed by Judge Colleen Kollar-Kotelly on September 15, 2008. (lcckk2) (Entered: 09/15/2008)
09/15/2008	<u>88</u>	MEMORANDUM OPINION. Signed by Judge Colleen Kollar-Kotelly on September 15, 2008. (lcckk2) (Entered: 09/15/2008)
09/15/2008		MINUTE ORDER (paperless). The Court has reviewed Plaintiff's <u>86</u> Motion to Strike in part the Declaration of Joseph P. Ceglie, submitted by the Navy in further support of its Motion for Summary Judgment. Plaintiff's Motion to Strike correctly notes that Lieutenant Ceglie's Declaration does not indicate whether the Navy has made efforts to ascertain the life status of those individuals whose names it withheld from Navy Document Number Two. Further, no such information is provided in the Navy's original declarations supporting its Motion for Summary Judgment. Accordingly, no later than 5:00 p.m. on Friday, September 19, 2008, the Navy shall file a Declaration indicating its understanding of the individuals' life status, what efforts the Navy undertook to ascertain that information, and when such efforts were undertaken. Signed by Judge Colleen Kollar-Kotelly on September 15, 2008. (lcckk2) (Entered: 09/15/2008)
09/15/2008		Set/Reset Deadlines: The Navy shall file its Declaration by 9/19/2008. (clv, ) (Entered: 09/15/2008)
09/19/2008	<u>89</u>	NOTICE Notice of Filing by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1-10, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY (Attachments: # <u>1</u> Declaration Second Declaration of Joseph P. Ceglie, LT, JAGC, USN)(Molen, Kathleene) (Entered: 09/19/2008)
09/22/2008	<u>90</u>	ORDER. For the reasons set forth in the accompanying Memorandum Opinion: (1) Plaintiff's <u>86</u> Motion to Strike in Part the Declaration of Joseph P. Ceglie is DENIED; (2) the Navy's <u>39</u> Motion for Summary Judgment is GRANTED insofar as it relates to the Navy's withholding of information from Navy Document Number Two; (3) Plaintiff's <u>43</u> Cross-Motion for Summary Judgment is DENIED insofar as it relates to the Navy's withholding of information from Navy Document Number Two. Signed by Judge Colleen Kollar-Kotelly on September 22, 2008. (lcckk2) (Entered: 09/22/2008)
09/22/2008	<u>91</u>	MEMORANDUM OPINION. Signed by Judge Colleen Kollar-Kotelly on September 22, 2008. (lcckk2) (Entered: 09/22/2008)
09/25/2008	<u>92</u>	Cross MOTION for Summary Judgment as to Federal Bureau of Investigatin by RALPH SCHOENMAN (Attachments: # <u>1</u> Memorandum in Support Mem. P & A in Support of Motion, # <u>2</u> Affidavit Schoenman Decl. in Response to 2d Hardy Decl., # <u>3</u> Exhibit Att. 1, # <u>4</u> Exhibit Att. 2, # <u>5</u> Exhibit Att. 3)(Lesar, James) (Entered: 09/25/2008)

09/26/2008	<u>93</u>	NOTICE of Filing Local Rule 7.1(h) Statement by RALPH SCHOENMAN (Lesar, James) (Entered: 09/26/2008)
09/26/2008		NOTICE OF ERROR re <u>92</u> Motion for Summary Judgment; emailed to jlesar@mindspring.com, cc'd 1 associated attorneys -- The PDF file you docketed contained errors: 1. Two-part docket entry, 2. Please also file as a Memorandum in Opposition. (nmw, ) (Entered: 09/26/2008)
09/30/2008	<u>94</u>	Memorandum in opposition to re <u>73</u> MOTION for Summary Judgment <i>Motion For Summary Judgment on Behalf of Defendant Federal Bureau of Investigation</i> filed by RALPH SCHOENMAN. (Attachments: # <u>1</u> Exhibit Att. 1, # <u>2</u> Exhibit Att. 2, # <u>3</u> Exhibit Att. 3, # <u>4</u> Affidavit Schoenmand Decl. in Response to 2d Hardy Decl., # <u>5</u> Statement of Facts Notice of Filing of Local Rule Statement)(Lesar, James) (Entered: 09/30/2008)
10/08/2008	<u>95</u>	NOTICE <i>Notice of Filing</i> by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1-10, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY re <u>90</u> Order on Motion to Strike., (Attachments: # <u>1</u> Declaration Third Declaration of Joseph P. Ceglio, LT, JAGC, USN)(Molen, Kathleene) (Entered: 10/08/2008)
10/10/2008	<u>96</u>	Unopposed MOTION for Extension of Time to <i>File Defendants' Opposition to Plaintiff's Cross-Motion for Summary Judgment and Defendants' Reply in Further Support of Their Motion for Summary Judgment</i> by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1-10, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY (Molen, Kathleene) (Entered: 10/10/2008)
10/16/2008		MINUTE ORDER granting Defendants' <u>96</u> Unopposed Motion for Enlargement of Time to file its opposition to Plaintiff's cross-motion for summary judgment and its reply in further support of its motion for summary judgment. Accordingly, Defendants shall have until and including October 23, 2008, to file its opposition to Plaintiff's cross-motion for summary judgment and its reply in further support of its motion for summary judgment; and Plaintiff shall have until and including November 14, 2008, to reply to his cross-motion for summary judgment. Signed by Judge Colleen Kollar-Kotelly on October 16, 2008. (SM) (Entered: 10/16/2008)
10/17/2008		Set/Reset Deadlines: Defendants Opposition due by 10/23/2008. Plaintiff's Reply due by 11/14/2008. (rje) (Entered: 10/17/2008)
10/23/2008	<u>97</u>	Memorandum in opposition to re <u>92</u> Cross MOTION for Summary Judgment <i>as to Federal Bureau of Investigatin Defendants' Opposition to Plaintiff's Cross-Motion for Summary Judgment With Respect to the Federal Bureau of Investigation and Reply in Further Support of the Federal Bureau of Investigation's Motion for Summary Judgment</i> filed by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1-10, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY. (Attachments: # <u>1</u> Declaration Third Declaration of David M. Hardy, # <u>2</u> Declaration Declaration of Janice Galli McLeod, # <u>3</u> Statement of Facts Counter-Statement of Material Facts)(Molen, Kathleene) (Entered: 10/23/2008)
10/23/2008	<u>98</u>	REPLY to opposition to motion re <u>73</u> MOTION for Summary Judgment <i>as to Federal Bureau of Investigatin Defendants' Opposition to Plaintiff's Cross-Motion for Summary Judgment With Respect to the Federal Bureau of Investigation and Reply in Further Support of the Federal Bureau of Investigation's Motion for Summary Judgment</i> filed by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION,

		NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1–10, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY. (Attachments: # <u>1</u> Declaration Third Declaration of David M. Hardy, # <u>2</u> Declaration Declaration of Janice Galli McLeod, # <u>3</u> Statement of Facts Counter–Statement of Material Facts)(Molen, Kathleene) Modified on 10/24/2008 (nmw, ). (Entered: 10/23/2008)
11/05/2008	<u>99</u>	MOTION for Extension of Time to <i>Reply to Defendant FBI's Opposition to Plaintiff's Cross–Motion for Summary Judgment</i> by RALPH SCHOENMAN (Lesar, James) (Entered: 11/05/2008)
11/06/2008		MINUTE ORDER granting <u>99</u> Plaintiff's Motion for Extension of Time Within Which to reply to Defendant Federal Bureau of Investigation's opposition to his cross–motion for summary judgment. Accordingly, Plaintiff shall have until and including November 19, 2008, within which to reply to Defendant Federal Bureau of Investigation's opposition to his cross–motion for summary judgment. The Court notes this case is 2004 and should be pre–empted by later filed cases. Signed by Judge Colleen Kollar–Kotelly on November 6, 2008. (SM) (Entered: 11/06/2008)
11/19/2008	<u>100</u>	REPLY to opposition to motion re <u>92</u> Cross MOTION for Summary Judgment <i>as to Federal Bureau of Investigatin</i> filed by RALPH SCHOENMAN. (Lesar, James) (Entered: 11/19/2008)
12/05/2008	<u>101</u>	Unopposed MOTION to Amend/Correct <u>73</u> MOTION for Summary Judgment <i>Motion For Summary Judgment on Behalf of Defendant Federal Bureau of Investigation</i> , <u>68</u> Notice (Other), Notice (Other), Notice (Other) <i>Motion to Supplement the Federal Bureau of Investigation's Vaughn Index</i> by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1–10, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY (Attachments: # <u>1</u> Declaration Fourth Declaration of David M. Hardy, # <u>2</u> Exhibit Exhibits A–I attached to Fourth Declaration of David M. Hardy)(Molen, Kathleene) (Entered: 12/05/2008)
12/15/2008		MINUTE ORDER (paperless) GRANTING Defendant FBI's Unopposed Motion <u>101</u> to Supplement its Vaughn Index. Accordingly, Defendant FBI shall file, no later than January 6, 2009: (1) a supplemental coded Vaughn Index for the specific pages of underlying documents referenced by Plaintiff in his Reply; (2) a supplemental coded Vaughn Index for the underlying pages mentioned on certain "delete sheets" on Plaintiff's list; and (3) a supplemental coded Vaughn Index for certain pages that were unintentionally omitted from the FBI's Vaughn Index. Signed by Judge Colleen Kollar–Kotelly on December 15, 2008. (lcckk2) (Entered: 12/15/2008)
12/30/2008	<u>102</u>	Unopposed MOTION for Extension of Time to <i>Unopposed Motion for Enlargement of Time</i> by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1–10, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY (Molen, Kathleene) (Entered: 12/30/2008)
12/31/2008		MINUTE ORDER granting <u>102</u> Unopposed Motion for Enlargement of Time to File the FBI's supplemental coded Vaughn Index. Accordingly, Defendants shall have until and including March 6, 2009, within which to file the FBI's supplemental coded Vaughn Index. Signed by Judge Colleen Kollar–Kotelly on December 31, 2008. (SM) (Entered: 12/31/2008)
12/31/2008		Set/Reset Deadlines: Defendant FBI's supplemental coded Vaughn Index due by 3/6/2009. (dot, ) (Entered: 01/02/2009)
03/06/2009	<u>103</u>	NOTICE <i>Notice of Filing – The Federal Bureau of Investigation's Supplemental Vaughn Index</i> by DEPARTMENT OF NAVY, DEPARTMENT OF STATE,



		NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1-10, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY re Order on Motion for Extension of Time to, <u>73</u> MOTION for Summary Judgment <i>Motion For Summary Judgment on Behalf of Defendant Federal Bureau of Investigation</i> , <u>97</u> Memorandum in Opposition,,, (Attachments: # <u>1</u> Declaration Fifth Declaration of David M. Hardy, # <u>2</u> Exhibit Exhibit A, # <u>3</u> Exhibit Exhibit B, # <u>4</u> Exhibit Exhibit C)(Molen, Kathleene) (Entered: 03/06/2009)
03/19/2009	<u>104</u>	NOTICE of Change of Address by Kathleene A. Molen (Molen, Kathleene) (Entered: 03/19/2009)
03/19/2009	<u>105</u>	MOTION for Order <i>Requiring FBI to Complete Vaughn Index, Etc.</i> by RALPH SCHOENMAN (Lesar, James) (Entered: 03/19/2009)
03/19/2009	<u>106</u>	ORDER. For the reasons set forth in the accompanying Memorandum Opinion, the Court GRANTS-IN-PART the CIA's <u>64</u> Motion for Summary Judgment and DENIES-IN-PART Plaintiff's <u>70</u> Cross-Motion for Partial Summary Judgment, finding in favor of Defendant CIA as to (1) the adequacy of the CIA's search, to the extent the CIA declined to task the Directorate of Intelligence and the independent entities that report to the Director of Central Intelligence to conduct a search in response to Plaintiff's FOIA/PA Request, (2) the CIA's withholding of information, (3) the CIA's segregation of non-exempt information, and (4) Plaintiff's request for discovery. The Court cannot, however, ultimately resolve the parties' cross-motions as to the adequacy of the CIA's search of the Directorate of Operations' and the Mission Support Office's records because the CIA has not provided a reasonably detailed and nonconclusory description of its search of those records. As such, the Court shall HOLD IN ABEYANCE the parties' cross-motions for summary judgment with respect to the adequacy of the CIA's search as it concerns the DO and the MSO pending supplemental briefing from the parties. Accordingly, the CIA is required to file, by no later than April 10, 2009, a supplemental description of its search and an explanation as to why "index references" were not provided to Plaintiff. Plaintiff may file an opposition, if appropriate, by no later than April 24, 2009, and the CIA a reply, if appropriate, by no later than May 6, 2009. Signed by Judge Colleen Kollar-Kotelly on March 19, 2009. (lcckk2) (Entered: 03/19/2009)
03/19/2009	<u>107</u>	MEMORANDUM OPINION. Signed by Judge Colleen Kollar-Kotelly on March 19, 2009. (lcckk2 ) (Entered: 03/19/2009)
03/19/2009		Set/Reset Deadlines: Plaintiff's Response due by 4/24/2009. Defendant CIA's Reply due by 5/6/2009. (dot, ) (Entered: 03/26/2009)
03/20/2009		MINUTE ORDER (paperless). Currently pending before the Court are the parties' cross-motions for summary judgment with respect to Plaintiff's claim against Defendant FBI. Although principal briefing on the cross-motions is complete, the Court permitted Defendant FBI to file a <u>103</u> Supplemental Vaughn Index, which was filed on March 6, 2009. In response, Plaintiff filed a <u>105</u> Motion for an Order Requiring Defendant FBI to Complete its Vaughn Index. Plaintiff's most recent motion, however, has raised a question as to the actual relief Plaintiff seeks at this stage in the litigation. Specifically, in his <u>92</u> Cross-Motion, Plaintiff argues, in relevant part, that the FBI should be required to reprocess all of the approximately 4,000 FBI documents responsive to Plaintiff's FOIA/PA requests. In contrast, Plaintiff's most recent filing seeks a Court order requiring Defendant FBI to submit a comprehensive Vaughn index that includes all material recently discussed in the Supplemental Vaughn Index filed by Defendant FBI. It is therefore unclear to the Court what precise relief Plaintiff now seeks at this stage in the litigation. The Court advises that it shall not proceed with the instant motions for summary judgment, including the production of a complete Vaughn index, in a piecemeal fashion. The Court shall therefore require Plaintiff to file, by no later than 5 P.M. on Tuesday, March 24, 2009, a notice to the Court clarifying the precise relief Plaintiff seeks at this time: EITHER (a) an order requiring Defendant FBI to re-submit a complete Vaughn Index that includes and addresses all material Plaintiff intended be included in the sample index; OR (b) an order requiring

		Defendant FBI to reprocess all 4,000 pages of responsive material. The Court emphasizes it makes no comment on the merits of either request, but merely requires Plaintiff to clarify the precise relief he seeks on the record now before the Court so that the Court may proceed with the parties' cross-motions. Signed by Judge Colleen Kollar-Kotelly on March 20, 2009. (lcckk2) (Entered: 03/20/2009)
03/24/2009	<u>108</u>	NOTICE <i>to the Court</i> by RALPH SCHOENMAN (Lesar, James) (Entered: 03/24/2009)
03/30/2009	<u>109</u>	Memorandum in opposition to re <u>105</u> MOTION for Order <i>Requiring FBI to Complete Vaughn Index, Etc. Defendant Federal Bureau of Investigation's Partial Opposition to Plaintiff's Motion for an Order Requiring Defendant Federal Bureau of Investigation to Re-Submit a Complete Vaughn Index</i> filed by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1-10, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY. (Molen, Kathleene) (Entered: 03/30/2009)
03/31/2009	<u>110</u>	ORDER. Based on the reasons set forth in an accompanying memorandum opinion, the Court hereby: (1) GRANTS-IN-PART the FBI's <u>73</u> Motion for Summary Judgment, finding in favor of the FBI with respect to the reasonableness of the FBI's search for responsive records; (2) DENIES-IN-PART the FBI's <u>73</u> Motion for Summary Judgment and GRANTS-IN-PART Plaintiff's <u>92</u> Cross-Motion for Partial Summary Judgment with respect to the FBI's denial of Plaintiff's requests for a full fee waiver, finding in favor of Plaintiff that the FBI improperly denied his fee waiver requests; and (3) GRANTS Plaintiff's <u>105</u> Motion for an Order Requiring the FBI to Provide a Complete Vaughn Index. In addition, the Court DENIES WITHOUT PREJUDICE the parties' cross-motions for summary judgment as they pertain to the merits of the FBI's withholdings and Plaintiff's request that the FBI be required to reprocess all responsive documents. Finally, the parties are required to meet and confer and submit a joint status report, by no later than April 17, 2009, suggesting a schedule for submission of a final Vaughn index and, as appropriate, for the filing of dispositive motions with respect to the merits of the FBI's withholdings. Signed by Judge Colleen Kollar-Kotelly on March 31, 2009. (lcckk2) (Entered: 03/31/2009)
03/31/2009	<u>111</u>	MEMORANDUM OPINION. Signed by Judge Colleen Kollar-Kotelly on March 31, 2009. (lcckk2) (Entered: 03/31/2009)
04/10/2009	<u>112</u>	NOTICE <i>Notice of Filing</i> by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1-10, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY re <u>106</u> Order on Motion for Summary Judgment,,,,,,,,,,,,, (Attachments: # <u>1</u> Declaration Fourth Declaration of Ralph S. DiMaio, Information Review Officer, National Clandestine Service, Central Intelligence Agency)(Molen, Kathleene) (Entered: 04/10/2009)
04/17/2009	<u>113</u>	STATUS REPORT <i>Joint Status Report</i> by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1-10, RALPH SCHOENMAN, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY. (Molen, Kathleene) (Entered: 04/17/2009)
04/21/2009		MINUTE ORDER (paperless). Pursuant to this Court's <u>110</u> March 31, 2009 Order, Plaintiff and Defendant FBI filed a <u>113</u> Joint Status Report proposing a schedule for proceeding with litigation of Plaintiff's claims against the FBI. The Court agrees with the parties' proposed course of action and therefore adopts the schedule set forth in the parties' Joint Status Report. Accordingly: (1) the FBI shall reprocess the remaining documents at issue (approximately 4,000 pages) by no later than

		June 30, 2009, and the FBI shall Bates stamp anew all reprocessed pages prior to releasing the materials to Plaintiff; (2) Plaintiff shall select a sample that constitutes approximately 10% of the pages released to him (approximately 400 pages) to be included in the FBI's Vaughn index by no later than July 31, 2009; (3) the parties shall meet and confer by no later than August 7, 2009 to ensure that both parties are clear as to the correct composition of the sample Vaughn index; (4) the FBI shall then file its motion for summary judgment on or before September 30, 2009; (5) Plaintiff shall file his opposition on or before October 30, 2009; and (6) the FBI shall file its reply no later than November 20, 2009. Signed by Judge Colleen Kollar-Kotelly on April 21, 2009. (lcckk2 ) (Entered: 04/21/2009)
04/24/2009	<u>114</u>	Unopposed MOTION for Extension of Time to <i>File Supplemental Opposition to Defendant Central Intelligence Agency's Motion for Summary Judgment</i> by RALPH SCHOENMAN (Lesar, James) (Entered: 04/24/2009)
04/27/2009		MINUTE ORDER (paperless) GRANTING nunc pro tunc Plaintiff's <u>114</u> Unopposed Motion for Extension of Time to File Supplemental Opposition to Defendant CIA's Motion for Summary Judgment. Accordingly, Plaintiff shall have until and including April 28, 2009 in which to file a supplemental opposition, and Defendant CIA shall have until and including May 8, 2009 in which to file a reply, if appropriate. Signed by Judge Colleen Kollar-Kotelly on April 27, 2009. (lcckk2 ) (Entered: 04/27/2009)
04/27/2009		Set/Reset Deadlines: Defendant CIA's Reply due by 5/8/2009. (dot, ) (Entered: 05/06/2009)
04/28/2009	<u>115</u>	Unopposed MOTION for Extension of Time to <i>File Supplemental Opposition to Defendant Central Intelligence Agency's Motion for Summary Judgment</i> by RALPH SCHOENMAN (Lesar, James) (Entered: 04/28/2009)
04/30/2009		MINUTE ORDER (paperless) GRANTING nunc pro tunc Plaintiff's <u>115</u> Unopposed Motion for Further Extension of Time to File Supplemental Opposition to Defendant CIA's Motion for Summary Judgment. Accordingly, Plaintiff shall have until and including May 1, 2009 in which to file a supplemental opposition, and Defendant CIA shall have until and including May 13, 2009 in which to file a reply, if appropriate. Signed by Judge Colleen Kollar-Kotelly on April 30, 2009. (lcckk2 ) (Entered: 04/30/2009)
05/01/2009	<u>116</u>	SUPPLEMENTAL MEMORANDUM re <u>64</u> to filed by RALPH SCHOENMAN. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit Attachment 2, # <u>3</u> Exhibit Attachment 3, # <u>4</u> Exhibit Attachment 4, # <u>5</u> Affidavit Kaiser Decl.)(Lesar, James) Modified on 5/4/2009 (nmw, ). (Entered: 05/02/2009)
05/13/2009	<u>117</u>	REPLY to opposition to motion re <u>64</u> MOTION for Summary Judgment <i>Motion for Summary Judgment on Behalf of Defendant Central Intelligence Agency</i> , <u>70</u> Cross MOTION for Summary Judgment <i>and Opposition to CIA's Motion ffor Sumary Judgment Defendant Central Intelligence Agency's Reply to Plaintiff's Supplemental Opposition to Defendant Central Intelligence Agency's Motion for Summary Judgment</i> filed by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1-10, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY. (Molen, Kathleene) (Entered: 05/13/2009)
07/01/2009	<u>118</u>	STATUS REPORT <i>Status Report</i> by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1-10, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY. (Attachments: # <u>1</u> Exhibit Attach. A copies of release letters made to plaintiff)(Molen, Kathleene) (Entered: 07/01/2009)
07/29/2009	<u>119</u>	Unopposed MOTION for Extension of Time to <i>Plaintiff's Motion to Revise Briefing Schedule</i> by RALPH SCHOENMAN (Lesar, James) (Entered: 07/29/2009)

		07/29/2009)
07/30/2009		MINUTE ORDER (paperless) GRANTING Plaintiff's <u>119</u> Unopposed Motion to Revise Schedule of Pleadings. Accordingly, the parties shall abide by the following schedule: (1) Plaintiff shall select a sample that constitutes approximately 10% of the pages released to him (approximately 400 pages) to be included in the FBI's Vaughn index by no later than August 31, 2009; (2) the parties shall meet and confer by no later than September 8, 2009 to ensure that both parties are clear as to the correct composition of the sample Vaughn index; (3) the FBI shall then file its motion for summary judgment on or before November 19, 2009; (4) Plaintiff shall file his opposition on or before December 21, 2009; and (6) the FBI shall file its reply no later than January 21, 2010. Signed by Judge Colleen Kollar-Kotelly on July 30, 2009. (lcckk2 ) (Entered: 07/30/2009)
07/30/2009	<u>120</u>	MOTION to Enforce Consent Decree, MOTION for Reconsideration, ENBANC, MOTION to Intervene as plaintiff under Rule 24(A)2, 24(B) by JONATHAN LEE RICHES; ("Let this be filed" by Judge C Kollar-Kotelly signed 7/30/09 (td, ) (Entered: 07/31/2009)
07/30/2009		Set/Reset Deadlines: Attorney Meet and Confer Conference due by 9/8/2009. FBI Summary Judgment motions due by 11/19/2009. Response to Motion for Summary Judgment due by 12/21/2009. Reply to Motion for Summary Judgment due by 1/21/2010. (dot, ) (Entered: 08/05/2009)
08/14/2009	<u>121</u>	Memorandum in opposition to re <u>120</u> MOTION to Enforce MOTION for Reconsideration MOTION to Intervene <i>Joint Opposition to "Motion to Enforce Consent Decree, Motion for Reconsideration en banc, Motion to Intervene as Plaintiff under Rule 24(a)(2) and Rule 24(b)"</i> filed by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1-10, RALPH SCHOENMAN, JONATHAN LEE RICHES, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY. (Attachments: # <u>1</u> Exhibit Attachment A, # <u>2</u> Exhibit Attachment B, # <u>3</u> Certificate of Service Certificate of Service)(Molen, Kathleene) (Entered: 08/14/2009)
08/15/2009	<u>122</u>	NOTICE of Filing by RALPH SCHOENMAN (Attachments: # <u>1</u> Exhibit NSA Document from Oglesby Case, # <u>2</u> Affidavit Affidavit of Prof. G. Robert Blakey)(Lesar, James) (Entered: 08/15/2009)
09/17/2009	<u>123</u>	STATUS REPORT <i>Joint Status Report</i> by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1-10, RALPH SCHOENMAN, JONATHAN LEE RICHES, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY. (Attachments: # <u>1</u> Exhibit Attach. A – List of pages selected, # <u>2</u> Exhibit Attach. B)(Molen, Kathleene) (Entered: 09/17/2009)
10/13/2009	<u>125</u>	Unopposed MOTION for Extension of Time to <i>oppose plaintiff's motion for leave to further supplement his opposition to defendant's CIA's motion for summary judgment</i> by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1-10, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY (Molen, Kathleene) (Entered: 10/13/2009)
10/15/2009		MINUTE ORDER granting <u>125</u> Defendant CIA's Unopposed Motion for Extension of Time to oppose Plaintiff's motion for leave to further supplement his opposition to Defendant CIA's motion for summary judgment. Accordingly, Defendant CIA shall have an additional four business days, until and including October 30, 2009, to oppose Plaintiff's motion for leave to further supplement his opposition to Defendant CIA's motion for summary judgment. Signed by Judge Colleen



		Kollar-Kotelly on October 15, 2009. (SM) (Entered: 10/15/2009)
10/15/2009		Set/Reset Deadlines: Response due by 10/30/2009. (dot, ) (Entered: 10/27/2009)
10/30/2009	<u>126</u>	Memorandum in opposition to re 124 MOTION for Leave to File <i>Additional Supplemental Opposition to CIA's Cross-Motion for Summary Judgment Defendants' Opposition to Plaintiff's Motion for Leave to Further Supplement his Opposition to Defendant Central Intelligence Agency's Motion for Summary Judgment</i> filed by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1-10, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY. (Attachments: # <u>1</u> Declaration Declaration of Dennis J. Argall, # <u>2</u> Exhibit Exhibit A – Dennis J. Argall Declaration, # <u>3</u> Exhibit Exhibit B – Dennis J. Argall Declaration)(Molen, Kathleene) (Entered: 10/30/2009)
11/09/2009	<u>127</u>	ORDER. Based on the reasons set forth in an accompanying memorandum opinion, Mr. Riches' third-party <u>120</u> Motion to Enforce Consent Decree, Motion for Reconsideration En Banc, Motion to Intervene as Plaintiff under Rule 24(a)(2) and Rule 24(b)(2) is DENIED. The Clerk of the Court is directed to mail a copy of this Order and accompanying Memorandum Opinion to Mr. Riches at the address reflected on the docket. Signed by Judge Colleen Kollar-Kotelly on November 9, 2009. (lcckk2 ) (Entered: 11/09/2009)
11/09/2009	<u>128</u>	MEMORANDUM OPINION. Signed by Judge Colleen Kollar-Kotelly on November 9, 2009. (lcckk2) (Entered: 11/09/2009)
11/10/2009	<u>129</u>	REPLY to opposition to motion re 124 MOTION for Leave to File <i>Additional Supplemental Opposition to CIA's Cross-Motion for Summary Judgment</i> filed by RALPH SCHOENMAN. (Lesar, James) (Entered: 11/10/2009)
11/13/2009	<u>130</u>	Unopposed MOTION for Extension of Time to <i>Defendants' Unopposed Motion for Enlargement of Time to file the Federal Bureau of Investigation's Motion for Summary Judgment</i> by DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, JOHN DOE AGENCIES 1-10, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF JUSTICE, DEPARTMENT OF ARMY (Molen, Kathleene) (Entered: 11/13/2009)
11/16/2009		MINUTE ORDER (paperless) GRANTING Defendants' <u>130</u> Unopposed Motion for Enlargement of Time. Although assignment of new counsel does not justify a request for an extension of time, the Court finds that Defendants have nonetheless demonstrated sufficient good cause warranting an extension of time based on the FBI's representation that it has encountered unforeseen administrative difficulties in preparing the sample Vaughn index and is still awaiting responses from the CIA regarding certain referred documents. Accordingly, the FBI shall file its motion for summary judgment on or before January 15, 2010; Plaintiff shall file his opposition on or before February 16, 2010; and the FBI shall file its reply no later than March 16, 2010. Counsel are advised that these deadlines are firm, and no further extensions shall be granted. Signed by Judge Colleen Kollar-Kotelly on November 16, 2009. (lcckk2 ) (Entered: 11/16/2009)
11/16/2009		Set/Reset Deadlines: FBI Summary Judgment motions due by 1/15/2010. Response to Motion for Summary Judgment due by 2/16/2010. Reply to Motion for Summary Judgment due by 3/16/2010. (dot, ) (Entered: 02/09/2010)
12/09/2009	<u>131</u>	NOTICE of Appearance by Sean Ryan O'Neill on behalf of CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF ARMY, DEPARTMENT OF JUSTICE, DEPARTMENT OF NAVY, DEPARTMENT OF STATE, FEDERAL BUREAU OF INVESTIGATION, JOHN DOE AGENCIES 1-10, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY (O'Neill, Sean) (Entered: 12/09/2009)

12/14/2009	<u>132</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF ARMY, DEPARTMENT OF JUSTICE, DEPARTMENT OF NAVY, DEPARTMENT OF STATE, FEDERAL BUREAU OF INVESTIGATION, JOHN DOE AGENCIES 1-10, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY. Attorney Kathleene A. Molen terminated. (Molen, Kathleene) (Entered: 12/14/2009)
01/13/2010	<u>133</u>	NOTICE of Appearance by Caroline A. Smith on behalf of CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF ARMY, DEPARTMENT OF JUSTICE, DEPARTMENT OF NAVY, DEPARTMENT OF STATE, FEDERAL BUREAU OF INVESTIGATION, JOHN DOE AGENCIES 1-10, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY (Smith, Caroline) (Entered: 01/13/2010)
01/13/2010	<u>134</u>	Unopposed MOTION for Extension of Time to File <i>Partial Renewed Motion for Summary Judgment</i> by CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF ARMY, DEPARTMENT OF JUSTICE, DEPARTMENT OF NAVY, DEPARTMENT OF STATE, FEDERAL BUREAU OF INVESTIGATION, JOHN DOE AGENCIES 1-10, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY (Smith, Caroline) (Entered: 01/13/2010)
01/14/2010		MINUTE ORDER granting <u>134</u> Unopposed Motion for Extension of Time to File partial renewed motion for summary judgment on behalf of the Federal Bureau of Investigation, due to extraordinary circumstances. Accordingly, Defendants shall have until and including January 21, 2010, to file partial renewed motion for summary judgment on behalf of the Federal Bureau of Investigation. Signed by Judge Colleen Kollar-Kotelly on January 14, 2010. (SM) (Entered: 01/14/2010)
01/14/2010		Set/Reset Deadlines: Defendants' partial renewed Summary Judgment motions due by 1/21/2010. (dot, ) (Entered: 01/19/2010)
01/21/2010	<u>135</u>	MOTION for Summary Judgment by FEDERAL BUREAU OF INVESTIGATION (Attachments: # <u>1</u> Declaration Hardy Sixth Declaration, # <u>2</u> Exhibit Exhibit A, # <u>3</u> Exhibit Exhibits B-S)(O'Neill, Sean) (Entered: 01/21/2010)
02/10/2010	<u>136</u>	Unopposed MOTION for Extension of Time to <i>Respond to FBI's Renewed Motion for Partial Summary Judgment</i> by RALPH SCHOENMAN (Lesar, James) (Entered: 02/10/2010)
02/12/2010		MINUTE ORDER (paperless) GRANTING <u>136</u> Plaintiff's Unopposed Motion for Extension of Time to Respond to the FBI's Renewed Motion for Partial Summary Judgment. Accordingly, Plaintiff shall have until and including February 23, 2010, in which to file an opposition or otherwise respond to Defendant FBI's <u>135</u> Partial Renewed Motion for Summary Judgment. Signed by Judge Colleen Kollar-Kotelly on February 12, 2010. (lcckk2) (Entered: 02/12/2010)
02/22/2010	<u>137</u>	Unopposed MOTION for Extension of Time to <i>Respond to Defendant Federal Bureau of Investigation's Renewed Motion for Partial Summary Judgment</i> by RALPH SCHOENMAN (Lesar, James) (Entered: 02/22/2010)
02/24/2010		MINUTE ORDER granting <u>137</u> Plaintiff's Unopposed Motion for Extension of Time to Respond to the Federal Bureau of Investigation's Renewed Motion for Partial Summary Judgment. Accordingly, Plaintiff shall have until and including February 26, 2010, to respond to the FBI's renewed motion; Defendant FBI shall have until and including March 19, 2010, to reply to Plaintiff's response. Signed by Judge Colleen Kollar-Kotelly on February 24, 2010. (SM) (Entered: 02/24/2010)
02/24/2010		Set/Reset Deadlines: Defendant FBI Reply due by 3/19/2010. (dot, ) (Entered: 03/02/2010)
02/26/2010	<u>138</u>	Unopposed MOTION for Extension of Time to <i>Respond to FBI's Renewed Motion for Partial Summary Judgment</i> by RALPH SCHOENMAN (Lesar, James) (Entered: 02/26/2010)

03/01/2010		MINUTE ORDER (paperless) GRANTING nunc pro tunc Plaintiff's <u>138</u> Unopposed Motion for One (Business) Day Extension of Time to Respond to the FBI's Renewed Motion for Partial Summary Judgment. Accordingly, Plaintiff shall have until and including March 1, 2010, in which to file a response to Defendant FBI's Renewed Motion for Summary Judgment, and Defendant FBI shall have until and including March 22, 2010, in which to file its reply, if any. Signed by Judge Colleen Kollar-Kotelly on March 1, 2010. (lcckk2) (Entered: 03/01/2010)
03/02/2010	<u>139</u>	MOTION for Leave to File <i>Plaintiff's Renewed Cross-Motion for Summary Judgment, Etc.</i> by RALPH SCHOENMAN (Attachments: # <u>1</u> Cross-Motion for Summary Judgment, # <u>2</u> Exhibit Exhibit 1, # <u>3</u> Exhibit Exhibit 2, # <u>4</u> Exhibit Exhibit 3, # <u>5</u> Exhibit Exhibit 4, # <u>6</u> Exhibit Exhibit 5, # <u>7</u> Exhibit Exhibit 6, # <u>8</u> Exhibit Exhibit 7, # <u>9</u> Exhibit Exhibit 8, # <u>10</u> Exhibit Exhibit 9, # <u>11</u> Affidavit Schoenman Declaration, # <u>12</u> Affidavit Lesar Declaration, # <u>13</u> Appendix Local Rule Statement)(Lesar, James) (Entered: 03/02/2010)
03/03/2010		MINUTE ORDER granting nunc pro tunc <u>139</u> Plaintiff's Motion for Leave to File Renewed Cross-Motion for summary Judgment Out-of-Time and in Excess of Page Limitation. FURTHER ORDERED, that Defendant FBI shall have until and including March 23, 2010, to file a reply in support of its motion for summary judgment and opposition to Plaintiff's cross-motion for summary judgment. Signed by Judge Colleen Kollar-Kotelly on March 3, 2010. (SM) (Entered: 03/03/2010)
03/03/2010	<u>143</u>	MOTION for Summary Judgment, MOTION for Discovery by RALPH SCHOENMAN (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Declaration of Ralph Schoenman, # <u>11</u> Declaration of James H. Lesar, # <u>12</u> Statement of Facts)(znmw, ) (Entered: 03/24/2010)
03/03/2010	<u>144</u>	Memorandum in opposition to re <u>135</u> MOTION for Summary Judgment filed by RALPH SCHOENMAN. (See Docket Entry <u>143</u> to view document). (znmw, ) (Entered: 03/24/2010)
03/23/2010	<u>140</u>	Memorandum in opposition to re <u>143</u> MOTION for Summary Judgment filed by CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF ARMY, DEPARTMENT OF JUSTICE, DEPARTMENT OF NAVY, DEPARTMENT OF STATE, FEDERAL BUREAU OF INVESTIGATION, JOHN DOE AGENCIES 1-10, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY. (Attachments: # <u>1</u> Exhibit Keenan v. DOJ)(O'Neill, Sean) Modified link and text on 3/24/2010 (znmw, ). (Entered: 03/23/2010)
03/23/2010	<u>141</u>	REPLY to opposition to motion re <u>135</u> MOTION for Summary Judgment filed by CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF ARMY, DEPARTMENT OF JUSTICE, DEPARTMENT OF NAVY, DEPARTMENT OF STATE, FEDERAL BUREAU OF INVESTIGATION, JOHN DOE AGENCIES 1-10, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY. (Attachments: # <u>1</u> Exhibit Keenan v. DOJ)(O'Neill, Sean) Modified link and text on 3/24/2010 (znmw, ). (Entered: 03/23/2010)
03/23/2010	<u>142</u>	Memorandum in opposition to re <u>143</u> MOTION for Discovery filed by CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF ARMY, DEPARTMENT OF JUSTICE, DEPARTMENT OF NAVY, DEPARTMENT OF STATE, FEDERAL BUREAU OF INVESTIGATION, JOHN DOE AGENCIES 1-10, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY. (O'Neill, Sean) Modified link and text on 3/24/2010 (znmw, ). (Entered: 03/23/2010)
03/31/2010	<u>145</u>	Unopposed MOTION for Extension of Time to <i>Reply to FBI's Oppositions to Plaintiff's Renewed Cross-Motion for Summary Judgment and Other Relief</i> by RALPH SCHOENMAN (Lesar, James) (Entered: 03/31/2010)
04/06/2010		MINUTE ORDER granting nunc pro tunc <u>145</u> Plaintiff's Unopposed Motion for Extension of Time to Reply to the Federal Bureau of Investigation's Oppositions to Plaintiff's Renewed Cross-Motion for Summary Judgment and Other Relief.



		Accordingly, Plaintiff shall have until and including April 12, 2010, to reply to Defendant FBI's opposition to Plaintiff's renewed cross-motion for summary judgment. Set/Reset Deadlines: Plaintiff's Reply due by 4/12/2010. Signed by Judge Colleen Kollar-Kotelly on April 6, 2010. (SM) (Entered: 04/06/2010)
04/12/2010	<u>146</u>	Unopposed MOTION for Extension of Time to <i>to Reply to FBI's Oppositin to Plaintiff's Renewed Cross-Motion for Summary Judgmnet</i> by RALPH SCHOENMAN (Lesar, James) (Entered: 04/12/2010)
04/13/2010		MINUTE ORDER granting nunc pro tunc <u>146</u> Plaintiff's Unopposed Motion for Further Extension of Time to Reply to the Federal Bureau of Investigation's Oppositions to Plaintiff's Renewed Cross-Motion for Summary Judgment and Other Relief. Accordingly, Plaintiff shall have until and including April 15, 2010, to reply to the FBI's Oppositions to Plaintiff's renewed cross-motion for summary judgment and other relief. Signed by Judge Colleen Kollar-Kotelly on April 13, 2010. (SM) (Entered: 04/13/2010)
04/19/2010	<u>147</u>	MOTION for Leave to File <i>Reply outof time</i> by RALPH SCHOENMAN (Attachments: # <u>1</u> Memorandum in Support Reply, # <u>2</u> Exhibit Exh. 1, # <u>3</u> Exhibit Exh. 2A, # <u>4</u> Exhibit Exh. 2B, # <u>5</u> Exhibit Exh. 3, # <u>6</u> Exhibit Exh. 4, # <u>7</u> Exhibit Exh. 5, # <u>8</u> Exhibit Exh. 6, # <u>9</u> Exhibit Exh. 7, # <u>10</u> Exhibit Exh. 8, # <u>11</u> Exhibit Exh. 9, # <u>12</u> Exhibit Exh. 10, # <u>13</u> Exhibit Exh. 11A, # <u>14</u> Exhibit Exh. 11B, # <u>15</u> Exhibit Exh. 12B, # <u>16</u> Exhibit Exh. 13, # <u>17</u> Affidavit Schoemann declaration, # <u>18</u> Affidavit Lesar declaration)(Lesar, James) (Entered: 04/19/2010)
04/21/2010		MINUTE ORDER (paperless) GRANTING nunc pro tunc <u>147</u> Plaintiff's Unopposed Motion for Leave to File Reply to the Federal Bureau of Investigation's Oppositions to Plaintiff's Renewed Cross-Motion for Summary Judgment and Other Relief Out of Time and In Excess of Page Limitations. Accordingly, Plaintiffs' Reply, which is attached to his <u>147</u> Motion for Leave, shall be deemed timely filed as of the date filed (April 19, 2010). Signed by Judge Colleen Kollar-Kotelly on April 21, 2010. (lcckk2) (Entered: 04/21/2010)
04/21/2010	<u>148</u>	REPLY to opposition to motion re <u>143</u> MOTION for Summary Judgment filed by RALPH SCHOENMAN. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2A, # <u>3</u> Exhibit 2B, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8, # <u>10</u> Exhibit 9, # <u>11</u> Exhibit 10, # <u>12</u> Exhibit 11A, # <u>13</u> Exhibit 11B, # <u>14</u> Exhibit 12B, # <u>15</u> Exhibit 13, # <u>16</u> Affidavit Schoenman Declaration, # <u>17</u> Affidavit Lesar Declaration)(znmw, ) (Entered: 04/22/2010)
04/24/2010	<u>149</u>	NOTICE of Filing of Corrected Exhibits to Reply Brief by RALPH SCHOENMAN (Attachments: # <u>1</u> Exhibit Exh. 1—DPIS List from Vaughn Index, # <u>2</u> Exhibit Exh. 2A—S 2184, # <u>3</u> Exhibit Exh. 2B—S 2595, # <u>4</u> Exhibit Exh. 3—S 3590, # <u>5</u> Exhibit Exh. 4—S 3593, # <u>6</u> Exhibit Exh. 5—S 2315, S 2316, # <u>7</u> Exhibit Exh. 6—S 2329, # <u>8</u> Exhibit Exh. 7—S 2314, # <u>9</u> Exhibit Exh. 8—S 2490, # <u>10</u> Exhibit Exh. 9—S 2147, # <u>11</u> Exhibit Exh. 10—S 3559, # <u>12</u> Exhibit Exh. 11A—S 273, # <u>13</u> Exhibit Exh. 11B—S 3952, S 3953, # <u>14</u> Exhibit Exh. 12A—S 281, # <u>15</u> Exhibit Exh. 13A—S 279, # <u>16</u> Exhibit Exh. 13B—S 3954)(Lesar, James) (Entered: 04/24/2010)
10/08/2010	<u>150</u>	NOTICE of Filing of Memphis Commercial Appeal Article by RALPH SCHOENMAN (Attachments: # <u>1</u> Exhibit Attachment 1—Memphis Commercial Appeal Article on Withers)(Lesar, James) (Entered: 10/08/2010)
10/29/2010	<u>151</u>	NOTICE re <u>150</u> of Response to Plaintiff's "Notice of Filing" by CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF ARMY, DEPARTMENT OF JUSTICE, DEPARTMENT OF NAVY, DEPARTMENT OF STATE, FEDERAL BUREAU OF INVESTIGATION, JOHN DOE AGENCIES 1–10, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY (Attachments: # <u>1</u> Declaration Seventh Hardy Declaration)(O'Neill, Sean) Modified to add link on 11/1/2010 (znmw, ). (Entered: 10/29/2010)
01/21/2011	<u>152</u>	ORDER. For the reasons stated in the accompanying Memorandum Opinion, the CIA's <u>64</u> Motion for Summary Judgment is GRANTED as to all issues held-in-abeyance pursuant to the Court's <u>106</u> March 19, 2009 Order—namely, the

		adequacy of the CIA's search of the MSO and the DO—and therefore the CIA's <u>64</u> Motion for Summary Judgment is GRANTED in its entirety. Schoenman's <u>70</u> Cross-Motion for Partial Summary Judgment is DENIED as to all issues held-in-abeyance pursuant to the Court's <u>106</u> March 19, 2009 Order—namely, the adequacy of the CIA's search of the MSO and the DO—and therefore Schoenman's <u>70</u> Cross-Motion for Partial Summary Judgment is DENIED in its entirety. Schoenman's <u>124</u> Motion to Supplement the Record is GRANTED. Schoenman's <u>116</u> , <u>122</u> , <u>129</u> Request for Discovery from the CIA is DENIED. On or before February 22, 2011, the parties shall file a Joint Status Report with the Court proposing a schedule for proceeding with the sole remaining issue in this action addressed to the CIA—namely, the CIA's disposition of the CIA-originating records referred to it by the FBI on or about July 6, 2009 for processing and a direct response to Schoenman. Signed by Judge Colleen Kollar-Kotelly on January 21, 2011. (lcckk3) (Entered: 01/21/2011)
01/21/2011	<u>153</u>	MEMORANDUM OPINION. Signed by Judge Colleen Kollar-Kotelly on January 21, 2011. (lcckk3) (Entered: 01/21/2011)
01/21/2011		Set/Reset Deadlines: Joint Status Report due by 2/22/2011. (dot ) (Entered: 01/24/2011)
01/21/2011	<u>154</u>	Supplemental Memorandum in opposition to re <u>64</u> MOTION for Summary Judgment <i>Motion for Summary Judgment on Behalf of Defendant Central Intelligence Agency</i> filed by RALPH SCHOENMAN. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(znmw, ) (Entered: 01/24/2011)
02/09/2011	<u>155</u>	ORDER. For the reasons stated in the accompanying Memorandum Opinion, the FBI's <u>135</u> Renewed Motion for Summary Judgment is GRANTED; Schoenman's <u>143</u> Renewed Cross-Motion for Summary Judgment is DENIED; Schoenman's <u>143</u> Motion for Discovery is DENIED; and the FBI is DISMISSED as a defendant in this action. Signed by Judge Colleen Kollar-Kotelly on February 9, 2011. (lcckk3) (Entered: 02/09/2011)
02/09/2011	<u>156</u>	MEMORANDUM OPINION. Signed by Judge Colleen Kollar-Kotelly on February 9, 2011. (lcckk3) (Entered: 02/09/2011)
02/15/2011	<u>157</u>	STATUS REPORT by CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF ARMY, DEPARTMENT OF JUSTICE, DEPARTMENT OF NAVY, DEPARTMENT OF STATE, FEDERAL BUREAU OF INVESTIGATION, JOHN DOE AGENCIES 1–10, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY. (O'Neill, Sean) (Entered: 02/15/2011)
02/15/2011		MINUTE ORDER (paperless). Earlier today, as instructed by the Court, the parties filed a <u>157</u> Joint Status Report proposing a schedule for briefing the sole remaining issue in this action—namely, the disposition of the CIA-originating records referred to the CIA by the FBI on or about July 6, 2009 for processing and a direct response to Schoenman. The parties represent that the CIA released records from this group over a year ago, but that Schoenman's counsel is now unable to locate those records. The parties therefore propose that the CIA will re-release the records on or before March 2, 2011, at which point Schoenman will re-review the records and determine whether he intends to challenge any withholdings. Based upon this state of affairs, the Court considers it premature to enter a full briefing schedule for the final round of dispositive motions in this action. Instead, the Court sets the following schedule: (a) on or before Wednesday, March 2, 2011, the CIA shall re-release the disclosable portions of the records at issue to Schoenman; (b) on or before Wednesday, March 16, 2011, Schoenman shall complete his review thereof; and (c) on or before Monday, March 28, 2011, at 5:00 p.m., the parties shall have met and conferred in a good faith attempt to resolve any outstanding disputes and to narrow the issues requiring the Court's intervention and shall file with the Court a Joint Status Report, which shall (i) briefly identify any unresolved issues, (ii) indicate whether the parties intend to use a sample of the records at issue for purposes of briefing their dispositive motions and, if so, propose a procedure for selecting said sample, and (iii) propose a briefing schedule for dispositive motions. Signed by Judge Colleen Kollar-Kotelly on February 15, 2011. (lcckk3)

		(Entered: 02/15/2011)
02/21/2011	<u>158</u>	MOTION for Extension of Time to <i>file motion for attorney's fees and costs</i> by RALPH SCHOENMAN (Lesar, James) (Entered: 02/21/2011)
03/07/2011	<u>159</u>	Memorandum in opposition to re <u>158</u> MOTION for Extension of Time to <i>file motion for attorney's fees and costs</i> filed by CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF ARMY, DEPARTMENT OF JUSTICE, DEPARTMENT OF NAVY, DEPARTMENT OF STATE, FEDERAL BUREAU OF INVESTIGATION, JOHN DOE AGENCIES 1-10, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY. (O'Neill, Sean) (Entered: 03/07/2011)
03/14/2011	<u>160</u>	REPLY to opposition to motion re <u>158</u> MOTION for Extension of Time to <i>file motion for attorney's fees and costs</i> filed by RALPH SCHOENMAN. (Lesar, James) (Entered: 03/14/2011)
03/28/2011	<u>161</u>	STATUS REPORT by CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF ARMY, DEPARTMENT OF JUSTICE, DEPARTMENT OF NAVY, DEPARTMENT OF STATE, FEDERAL BUREAU OF INVESTIGATION, JOHN DOE AGENCIES 1-10, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, RALPH SCHOENMAN. (O'Neill, Sean) (Entered: 03/28/2011)
03/30/2011	<u>162</u>	SCHEDULING & PROCEDURES ORDER. Upon reviewing the parties' <u>161</u> Joint Status Report, and in order to administer this civil action in a manner fair to the litigants and consistent with the parties' interest in completing this litigation in the shortest possible time and at the least possible cost, the parties are directed to comply with each of the directives set forth in this Order. In addition, the parties shall adhere to the following schedule in briefing the sole remaining issue in this action (namely, the disposition of the CIA-originating records referred to the CIA by the FBI on or about July 6, 2009 for processing and a direct response to Schoenman): Plaintiff shall select a sample of records constituting approximately 25% of the records at issue on or before Thursday, April 14, 2011, at 5:00 p.m.; following Plaintiff's selection of the sample, the parties shall promptly meet and confer and, on or before Thursday, April 28, 2011, at 5:00 p.m., file a Joint Status Report with the Court certifying that both parties are in agreement as to the composition of the sample; the CIA shall serve and file its motion for summary judgment on or before Thursday, May 26, 2011, at 5:00 p.m.; Plaintiff shall serve and file his opposition to the CIA's motion for summary judgment and his cross-motion for summary judgment on or before Thursday, June 16, 2011, at 5:00 p.m.; the CIA shall serve its reply, if any, in support of its motion for summary judgment and its opposition to Plaintiff's cross-motion for summary judgment on or before Thursday, July 7, 2011 at 5:00 p.m.; and Plaintiff shall serve his reply, if any, in support of his cross-motion for summary judgment on or before Thursday, July 21, 2011, at 5:00 p.m. The dates identified are firm. Signed by Judge Colleen Kollar-Kotelly on March 30, 2011. (lcckk3) (Entered: 03/30/2011)
03/30/2011		Set/Reset Deadlines: Cross Motion due by 6/16/2011. Response to Cross Motion due by 7/7/2011. Reply to Cross Motion due by 7/21/2011. Joint Status Report due by 4/28/2011. Summary Judgment motion due by 5/26/2011. Response to Motion for Summary Judgment due by 6/16/2011. Reply to Motion for Summary Judgment due by 7/7/2011. (dot ) (Entered: 04/05/2011)
04/28/2011	<u>163</u>	STATUS REPORT by CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF ARMY, DEPARTMENT OF JUSTICE, DEPARTMENT OF NAVY, DEPARTMENT OF STATE, FEDERAL BUREAU OF INVESTIGATION, JOHN DOE AGENCIES 1-10, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, RALPH SCHOENMAN. (Attachments: # <u>1</u> Exhibit Attachment A: Vaughn sample list)(O'Neill, Sean) (Entered: 04/28/2011)

05/26/2011	<u>164</u>	MOTION for Summary Judgment by CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF ARMY, DEPARTMENT OF JUSTICE, DEPARTMENT OF NAVY, DEPARTMENT OF STATE, FEDERAL BUREAU OF INVESTIGATION, JOHN DOE AGENCIES 1-10, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY (Attachments: # <u>1</u> Declaration CIA Declaration of Elizabeth Culver, # <u>2</u> Exhibit CIA Exhibit A, # <u>3</u> Exhibit CIA Exhibit B, # <u>4</u> Exhibit CIA Exhibit C, # <u>5</u> Exhibit CIA Exhibit D)(O'Neill, Sean) (Entered: 05/26/2011)
06/14/2011	<u>165</u>	Unopposed MOTION for Extension of Time to File <i>Revised Briefing Schedule</i> by RALPH SCHOENMAN (Lesar, James) (Entered: 06/14/2011)
06/20/2011		MINUTE ORDER (paperless). Plaintiff's <u>165</u> Unopposed Motion to Revise Briefing Schedule is very reluctantly GRANTED nunc pro tunc. Plaintiff shall serve and file his opposition to the CIA's motion for summary judgment and his cross-motion for summary judgment on or before Thursday, June 30, 2011, at 5:00 p.m.; the CIA shall serve its reply, if any, in support of its motion for summary judgment and its opposition to Plaintiff's cross-motion for summary judgment on or before Thursday, July 21, 2011, at 5:00 p.m.; and Plaintiff shall serve his reply, if any, in support of his cross-motion for summary judgment on or before Thursday, August 4, 2011, at 5:00 p.m. The Court underscores that this is an extension of an already exceedingly generous briefing schedule. NO FURTHER EXTENSIONS will be granted to either party absent extraordinary circumstances. In addition, the parties are again warned that any papers that are not filed in FULL compliance with the requirements of the Court's <u>162</u> Scheduling and Procedures Order dated March 30, 2011 may be stricken and the offending party subjected to sanctions. Signed by Judge Colleen Kollar-Kotelly on June 20, 2011. (lcckk3) (Entered: 06/20/2011)
06/20/2011		Set/Reset Deadlines: Plaintiff shall serve and file his opposition to the CIA's motion for summary judgment and his cross-motion for summary judgment on or before Thursday, June 30, 2011, at 5:00 p.m.; the CIA shall serve its reply, if any, in support of its motion for summary judgment and its opposition to Plaintiff's cross-motion for summary judgment on or before Thursday, July 21, 2011, at 5:00 p.m.; and Plaintiff shall serve his reply, if any, in support of his cross-motion for summary judgment on or before Thursday, August 4, 2011, at 5:00 p.m. (dot) Modified on 6/24/2011 (lcckk3). (Entered: 06/24/2011)
06/30/2011	<u>166</u>	Cross MOTION for Summary Judgment <i>as to CIA Referrals</i> by RALPH SCHOENMAN (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Affidavit Schoenman Declaration)(Lesar, James) (Entered: 06/30/2011)
06/30/2011	167	Memorandum in opposition to re <u>164</u> MOTION for Summary Judgment filed by RALPH SCHOENMAN. (See Docket Entry <u>166</u> to view document). (znmw, ) (Entered: 07/01/2011)
07/21/2011	<u>168</u>	MOTION for Extension of Time to File Response/Reply by CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF ARMY, DEPARTMENT OF JUSTICE, DEPARTMENT OF NAVY, DEPARTMENT OF STATE, FEDERAL BUREAU OF INVESTIGATION, JOHN DOE AGENCIES 1-10, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY (O'Neill, Sean) (Entered: 07/21/2011)
07/21/2011	<u>169</u>	Memorandum in opposition to re <u>166</u> Cross MOTION for Summary Judgment <i>as to CIA Referrals</i> filed by CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF ARMY, DEPARTMENT OF JUSTICE, DEPARTMENT OF NAVY, DEPARTMENT OF STATE, FEDERAL BUREAU OF INVESTIGATION, JOHN DOE AGENCIES 1-10, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY. (Attachments: # <u>1</u> Declaration CIA Culver Second Declaration, # <u>2</u> Exhibit Attachment A)(O'Neill, Sean) (Entered: 07/21/2011)
07/21/2011	170	REPLY to opposition to motion re <u>164</u> MOTION for Summary Judgment filed by CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY,



		DEPARTMENT OF AIR FORCE, DEPARTMENT OF ARMY, DEPARTMENT OF JUSTICE, DEPARTMENT OF NAVY, DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY. (See Docket Entry <u>169</u> to view document. Counsel is reminded to file the opposition and reply as separate docket entries in future). (znmw, ) (Entered: 07/22/2011)
07/22/2011		MINUTE ORDER granting nunc pro tunc <u>168</u> Defendants' Motion for Leave to File Out of Time. Signed by Judge Colleen Kollar-Kotelly on July 22, 2011. (SM) (Entered: 07/22/2011)
08/08/2011	<u>171</u>	MOTION for Leave to File <i>Reply Brief</i> by RALPH SCHOENMAN (Attachments: # <u>1</u> Memorandum in Support Reokt, # <u>2</u> Affidavit Shone Decl.)(Lesar, James) (Entered: 08/09/2011)
08/10/2011	<u>172</u>	MOTION for Leave to File <i>Local Rule 7(h) Statement Out-of-Time</i> by RALPH SCHOENMAN (Lesar, James) (Entered: 08/10/2011)
08/11/2011	<u>173</u>	Memorandum in opposition to re <u>172</u> MOTION for Leave to File <i>Local Rule 7(h) Statement Out-of-Time</i> filed by CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF ARMY, DEPARTMENT OF JUSTICE, DEPARTMENT OF NAVY, DEPARTMENT OF STATE, FEDERAL BUREAU OF INVESTIGATION, JOHN DOE AGENCIES 1-10, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY. (O'Neill, Sean) (Entered: 08/11/2011)
08/16/2011	<u>174</u>	REPLY to opposition to motion re <u>172</u> MOTION for Leave to File <i>Local Rule 7(h) Statement Out-of-Time</i> filed by RALPH SCHOENMAN. (Lesar, James) (Entered: 08/16/2011)
01/23/2012	<u>175</u>	ORDER AND FINAL JUDGMENT. For the reasons stated in the accompanying Memorandum Opinion, Schoenman's <u>171</u> First Motion to Late File is DENIED, Schoenman's <u>172</u> Second Motion to Late File is DENIED, the CIA's <u>164</u> Motion for Summary Judgment is GRANTED, and Schoenman's <u>166</u> Cross-Motion for Summary Judgment is DENIED. Further, because no other claims for disclosure remain extant, this action is DISMISSED. Signed by Judge Colleen Kollar-Kotelly on January 23, 2012. (lcckk3) (Entered: 01/23/2012)
01/23/2012	<u>176</u>	MEMORANDUM OPINION. Signed by Judge Colleen Kollar-Kotelly on January 23, 2012. (lcckk3) (Entered: 01/23/2012)
02/02/2012	<u>177</u>	Unopposed MOTION for Extension of Time to <i>File Motion for Award of Attorneys' Fees and Costs</i> by RALPH SCHOENMAN (Lesar, James) (Entered: 02/02/2012)
02/02/2012		MINUTE ORDER (paperless). Plaintiff's <u>177</u> Unopposed Motion for an Extension of Time is GRANTED; Plaintiff shall have to and including MARCH 26, 2012, to file a motion for an award of attorneys' fees and costs. Signed by Judge Colleen Kollar-Kotelly on February 2, 2012. Set/Reset Deadlines: Motion due by 3/26/2012. (lcckk3) (Entered: 02/02/2012)
02/21/2012	<u>178</u>	MOTION for Reconsideration <i>Pursuant to Rules 52 and 59</i> by RALPH SCHOENMAN (Attachments: # <u>1</u> Exhibit Att. 1, # <u>2</u> Exhibit Att. 2, # <u>3</u> Exhibit Att. 3, # <u>4</u> Exhibit Att. 4, # <u>5</u> Affidavit Lesar Decl.)(Lesar, James) (Entered: 02/21/2012)
02/22/2012		MINUTE ORDER (paperless). The Court is in receipt of Plaintiff's <u>178</u> Motion for Reconsideration filed on February 21, 2012, through which Plaintiff moves for reconsideration of the following: the Court's <u>155</u> Order and <u>156</u> Memorandum Opinion granting summary judgment in favor of the Federal Bureau of Investigation and denying Plaintiff's requests for discovery; and the Court's <u>175</u> Order and Final Judgment and <u>176</u> Memorandum Opinion denying Plaintiff's motions to late file, granting summary judgment in favor of the Central Intelligence Agency, and entering a final judgment. The parties shall adhere to the following briefing schedule: Defendants shall serve their opposition(s) by no later than MARCH 15, 2012; and Plaintiff shall serve his reply by no later than MARCH 30,

		2012. Signed by Judge Colleen Kollar-Kotelly on February 22, 2012. (lcckk3) (Entered: 02/22/2012)
02/22/2012		Set/Reset Deadlines/Hearings: Response due by 3/15/2012. Reply due by 3/30/2012. (dot ) (Entered: 03/01/2012)
03/15/2012	<u>179</u>	Memorandum in opposition to re <u>178</u> MOTION for Reconsideration <i>Pursuant to Rules 52 and 59</i> filed by CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF ARMY, DEPARTMENT OF JUSTICE, DEPARTMENT OF NAVY, DEPARTMENT OF STATE, FEDERAL BUREAU OF INVESTIGATION, JOHN DOE AGENCIES 1-10, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY. (O'Neill, Sean) (Entered: 03/15/2012)
03/22/2012	<u>180</u>	NOTICE OF APPEAL by RALPH SCHOENMAN re <u>25</u> , <u>29</u> , <u>77</u> , <u>79</u> , <u>87</u> , <u>90</u> , <u>106</u> , <u>110</u> , and <u>152</u> . Filing fee \$ 455, receipt number 0090-2872334. Fee Status: Fee Paid. Parties have been notified. (Lesar, James) Modified to add links on 3/23/2012 (znmw, ). (Entered: 03/22/2012)
03/23/2012	<u>181</u>	NOTICE OF APPEAL (Duplicate of Docket Entry <u>180</u> ) by RALPH SCHOENMAN re <u>25</u> , <u>29</u> , <u>77</u> , <u>79</u> , <u>87</u> , <u>90</u> , <u>106</u> , <u>110</u> , and <u>152</u> . Filing fee \$ 455, receipt number 0090-2872338. Fee Status: Fee Paid. Parties have been notified. (Lesar, James) Modified to add links on 3/23/2012 (znmw, ). (Entered: 03/23/2012)
03/23/2012	<u>182</u>	Transmission of the Notice of Appeal, Order Appealed, and Docket Sheet to US Court of Appeals. The Court of Appeals fee was paid this date re <u>180</u> Notice of Appeal, <u>181</u> Notice of Appeal,. (znmw, ) (Entered: 03/23/2012)
03/26/2012		MINUTE ORDER (paperless). On February 21, 2012, Plaintiff filed a <u>178</u> Motion for Reconsideration, seeking reconsideration of the following: the Court's <u>155</u> Order and <u>156</u> Memorandum Opinion granting summary judgment in favor of the Federal Bureau of Investigation and denying Plaintiff's requests for discovery; and the Court's <u>175</u> Order and Final Judgment and <u>176</u> Memorandum Opinion denying Plaintiff's motions to late file, granting summary judgment in favor of the Central Intelligence Agency, and entering a final judgment. Subsequently, on March 22, 2012, Plaintiff filed a <u>180</u> Notice of Appeal, appealing the Court's <u>175</u> Order and Final Judgment and <u>176</u> Memorandum Opinion, "and all prior adverse [sic] orders against him." In light of this development, by no later than APRIL 2, 2012, Plaintiff shall file a Notice with the Court indicating whether he (a) intends to withdraw his <u>178</u> Motion for Reconsideration and immediately pursue his arguments before the United States Court of Appeals of the District of Columbia Circuit or (b) intends for his Motion for Reconsideration to be considered under Federal Rule of Civil Procedure 62.1, which defines the limits of this Court's ability to decide a motion "for relief that the court lacks authority to grant because an appeal... has been docketed and is pending." Signed by Judge Colleen Kollar-Kotelly on March 26, 2012. (lcckk3) (Entered: 03/26/2012)
03/26/2012	<u>183</u>	MOTION for Attorney Fees by RALPH SCHOENMAN (Lesar, James) (Entered: 03/26/2012)
03/26/2012	<u>184</u>	MOTION for Extension of Time to by RALPH SCHOENMAN (Lesar, James) (Entered: 03/26/2012)
03/27/2012	<u>185</u>	NOTICE of Clarification of Facts by CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF ARMY, DEPARTMENT OF JUSTICE, DEPARTMENT OF NAVY, DEPARTMENT OF STATE, FEDERAL BUREAU OF INVESTIGATION, JOHN DOE AGENCIES 1-10, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY re <u>184</u> MOTION for Extension of Time to (O'Neill, Sean) (Entered: 03/27/2012)
03/27/2012		USCA Case Number 12-5079 for <u>181</u> Notice of Appeal, filed by RALPH SCHOENMAN. (td, ) (Entered: 03/29/2012)
03/28/2012	<u>186</u>	NOTICE of Filing in Response to Defendants' Clarification of Facts Regarding Plaintiff's Motion for Extension of Time re Attorney's Fees by RALPH

		SCHOENMAN (Lesar, James) (Entered: 03/28/2012)
03/28/2012		MINUTE ORDER (paperless). On February 2, 2012, this Court granted Plaintiff an extension of one month and twenty days, until March 26, 2012, to file a motion for attorneys' fees and costs. See Min. Order (Feb. 2, 2012). On March 26, 2012, Plaintiff filed what he admits is an incomplete motion for attorneys' fees and costs, titled <u>183</u> "Motio [sic] for an Award of Attorney's Fees abd [sic] Cists [sic]" ("Partial Motion for Fees"). At the same time, Plaintiff filed a <u>184</u> Motion for a Further Extension of Time within which to Move for an Award of Attorney's Fees and Costs ("Motion for Extension"), seeking an additional extension of time, until April 6, 2012, to file a proper motion for attorneys' fees and costs. As an initial matter, the Court notes that Plaintiff's Motion for Extension, filed on the eve of the expiration of the applicable deadline, contravenes this Court's <u>162</u> Scheduling and Procedures Order, which requires that "[m]otions for extensions of time... be filed at least four (4) business days prior to the first affected deadline." However, it is evident from Plaintiff's Motion, and the parties' subsequent unsolicited <u>185</u> – <u>186</u> Notices, that the parties have not fully met and conferred with respect to Plaintiff's Motion for Extension, as required under Local Civil Rule 7(m). Accordingly, the parties shall immediately meet and confer and, by no later than MARCH 30, 2012, at 5:00 p.m., Defendants shall either file (a) a Notice indicating that they do not oppose Plaintiff's Motion for Extension or (b) an Opposition to Plaintiff's Motion for Extension, supported by citations to the record and applicable case law. Signed by Judge Colleen Kollar-Kotelly on March 28, 2012. (lcckk3) (Entered: 03/28/2012)
03/30/2012	<u>187</u>	Memorandum in opposition to re <u>184</u> MOTION for Extension of Time to filed by CENTRAL INTELLIGENCE AGENCY, DEFENSE INTELLIGENCE AGENCY, DEPARTMENT OF AIR FORCE, DEPARTMENT OF ARMY, DEPARTMENT OF JUSTICE, DEPARTMENT OF NAVY, DEPARTMENT OF STATE, FEDERAL BUREAU OF INVESTIGATION, JOHN DOE AGENCIES 1–10, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY. (O'Neill, Sean) (Entered: 03/30/2012)
03/30/2012	<u>188</u>	REPLY to opposition to motion re <u>178</u> MOTION for Reconsideration <i>Pursuant to Rules 52 and 59</i> filed by RALPH SCHOENMAN. (Lesar, James) (Entered: 03/30/2012)
04/02/2012	<u>189</u>	REPLY to opposition to motion re <u>184</u> MOTION for Extension of Time to <i>Move for Attorney's Fees</i> filed by RALPH SCHOENMAN. (Attachments: # <u>1</u> Exhibit Att. A, # <u>2</u> Exhibit Att. B)(Lesar, James) (Entered: 04/02/2012)
04/02/2012	<u>190</u>	NOTICE to the Court by RALPH SCHOENMAN (Lesar, James) (Entered: 04/02/2012)
04/03/2012		MINUTE ORDER (paperless). On March 26, 2012, Plaintiff filed what he admits is an incomplete motion for attorneys' fees and costs, titled <u>183</u> "Motio [sic] for an Award of Attorney's Fees abd [sic] Cists [sic]" ("Motion for Fees"). At the same time, Plaintiff filed a <u>184</u> Motion for a Further Extension of Time within which to Move for an Award of Attorney's Fees and Costs ("Motion for Extension"), seeking an additional extension of time, until April 6, 2012, to file a complete motion for attorneys' fees and costs. Plaintiff has now withdrawn his Motion for Extension, rendering that motion moot. See Reply to Def.'s Opp'n to Pl.'s Mot. for Extension of Time to File Mot. for Attorney's Fees, ECF No. <u>189</u> , at 8 ("[Plaintiff] hereby withdraws his motion for an extension of time....") and 9 ("[P]laintiff has withdrawn his motion for an extension of time...."). Meanwhile, the Court concurs with Defendants that Plaintiff's Motion for Fees is not only incomplete, but also premature. See Def.'s Opp'n to Pl.'s Mot. for a Further Extension of Time Within Which to Move for an Award of Attorney's Fees and Costs, ECF No. <u>187</u> , at 5 ("[A]ny discussion of fees and costs at this point is premature."). When Plaintiff filed his <u>178</u> Motion for Reconsideration under Rule 59(e) on February 21, 2012, the finality of this Court's <u>175</u> Order and Final Judgment was suspended. In other words, Plaintiff has himself elected to seek reconsideration of the merits of aspects of this case. In light of this development, it is premature, and would be a poor use of scarce judicial resources, for this Court to ask whether Plaintiff has "substantially prevailed" at this time. 5 U.S.C. § 552(a)(4)(E)(i). For this reason, Plaintiff's <u>183</u> Motion for Fees is DENIED WITHOUT PREJUDICE to renew



		<p>within fourteen days after the Court's resolution of Plaintiff's Motion for Reconsideration. See <i>Weyant v. Okst</i>, 198 F.3d 311, 315 (2d Cir. 1999) ("[A] Rule 54(d)(2)(B) motion is timely if filed no later than 14 days after the resolution of [] a Rule 50(b), 52(b), or 59 motion."); <i>Bailey v. Cnty. of Riverside</i>, 414 F.3d 1023, 1025 (9th Cir. 2005) (same). The Court declines Plaintiff's invitation to grant him leave to "re-file his pending motion as an interim motion for attorney fees." Given the advanced posture of this action, it would similarly be a poor use of judicial resources to opine on whether Plaintiff has "substantially prevailed" when Plaintiff continues to argue the merits of his claims and the case is so close to a final resolution. Finally, the Court declines Plaintiff's invitation to stay this case for an indefinite period of time while the parties "discuss clarification and resolution of all issues raised by the pending motions for reconsideration and award of attorney fees." The parties are of course free, and encouraged, to seek an amicable resolution of any remaining disputes and, in the event they reach a settlement (in whole or in part), they shall promptly notify the Court. However, Plaintiff has fallen woefully short of establishing the circumstances that would warrant a stay of these proceedings. Signed by Judge Colleen Kollar-Kotelly on April 3, 2012. (lcckk3) (Entered: 04/03/2012)</p>
04/26/2012	<u>191</u>	<p>ORDER of USCA as to <u>181</u> Notice of Appeal, filed by RALPH SCHOENMAN ; USCA Case Number 12-5079. ORDERED, on the court's own motion, that this case be held in abeyance pending resolution by the district court of the motion for reconsideration filed on February 21, 2012, and pending further order of the court. (kb) (Entered: 04/27/2012)</p>
04/30/2012	<u>192</u>	<p>ORDER. For the reasons stated in the accompanying Memorandum Opinion, Schoenman's <u>178</u> Motion for Reconsideration is DENIED. Signed by Judge Colleen Kollar-Kotelly on April 30, 2012. (lcckk3) (Entered: 04/30/2012)</p>
04/30/2012	<u>193</u>	<p>MEMORANDUM OPINION. Signed by Judge Colleen Kollar-Kotelly on April 30, 2012. (lcckk3) (Entered: 04/30/2012)</p>